



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 April 7, 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/87296042657>

Or join by phone:

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

Webinar ID: 872 9604 2657

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?

- March 17, 2021 Meeting Minutes Pg 4
- 832 Main St Review – Harris Pg 11
- ECO Transit Support Letter Pg 43

4. Approval of Agenda

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

5. Special Presentations

- Wildland Fire Program – Chief Karl Bauer, ERFPD Pg 45
- Council Comments/Committee Reports

DISCUSSION AND/OR DIRECTION ITEMS

- 6. Discussion/Direction:** CDOT Revitalizing Main Street Grant Opportunity –
Metteer Pg 50

PUBLIC HEARINGS AND/OR ACTION ITEMS

- 7. Public Hearing/Action Item:** Ordinance No. 02 - Series 2021 (First Reading) – An Ordinance creating a School District Land Dedication Policy – Metteer/Peterson-Cremer Pg 64
- 8. Public Hearing/Action Item:** Resolution No. 11 – Series 2021 a Resolution approving the updated Climate Action Plan – Metteer Pg 70
- 9. Public Hearing/Action Item:** Public Hearing regarding condition violations on the Minturn Builders Alliance Cooperative/Reid Phillips CUP – Metteer Pg 95
- 10. Public Hearing/Action Item:** Resolution 10 – Series 2021 a Resolution appointing members to the Planning Commission – Harris Pg 131

COUNCIL INFORMATION / UPDATES

11. Staff Updates (5 Min)

- Manager's Report Pg 149
- Future Agenda Items Pg 176

MISCELLANEOUS ITEMS

12. Future Meeting Dates

a) Council Meetings:

- April 21, 2021
- May 5, 2021
- May 19, 2021

13. Other Dates:

- June 5, 2021 – Town Clean Up Day

14. 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 March 17, 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/84989152543>

Or join by phone:

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

Webinar ID: 849 8915 2543

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

The meeting was called to order by Mayor John Widerman at 5:30pm using the ZOOM on-line meeting format.

- Roll Call

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

Staff present: Town Planner Madison Harris, 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)

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?

- March 3, 2021 Meeting Minutes
- 482 Eagle River St Review

Motion by Terry A., second by Gusty K., to approve the Consent Agenda for March 17, 2021 as presented. Motion passed 7-0.

4. Approval of Agenda

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

Motion by Eric G., second by Terry A., to approve the Agenda for March 17, 2021 as presented. Motion passed 7-0.

5. Special Presentations

- Eagle County Sheriff's Office Annual Update – Undersheriff Loya

Sheriff James Van Beek and Undersheriff Dan Loya were present to update the Council on Minturn Police statistics of the past year. A full report will be forwarded to the Town and distributed to the Council.

Terry A. asked if there were calls regarding the Shooting Range and if any unauthorized behaviors were reported? Sheriff Van Beek stated he would pull that information and forward it to the Town. He noted this would only be Sheriff's Office calls and that some calls go directly through the USFS.

Brian E. thanked for the officer's service and support. He mentioned in the 2020 budget a radar sign would be installed in South Minturn and available for use and hopefully we will see a benefit. Sheriff Van Beek noted they have a radar trailer that will be in use and available in the town, this will be in addition to the Town's radar trailer. Brian E. encouraged a check on speeders and school bus safety.

- Council Comments/Committee Reports

Terry A. noted the Summer Concert series is a go, we will be looking at 6 evenings beginning July 8. She congratulated everyone for a full year of dealing with the pandemic and encouraged everyone to be safe. She has joined the Eagle County Wildlife Roundtable. She reminded all the Mini Mile and the pump track is closed until it dries and elk move on. She noted using the trails now will cause significant damage.

Gusty K. attended a NWCCOG QQ meeting. They have developed a handbook for elected officials. They discussed state issues. He updated also on the railroad, they are amending their application to exclude crude oil and hazmat coal. They won't be running but the question still exists of who will.

Earle B. wished all a Happy St Patrick's Day.

John W. noted they are keeping an active eye on water needs and water levels, it is always on the forefront. He attended a regional transit meeting. Minturn was awarded the 50 10-punch passes for the bus system. They are working on a Transit Master Plan for the future. The Climate Action Collaborative will be discussed on a near future meeting.

Terry A. noted the Minturn Fitness Center is open. They have some new equipment and a survey is available.

PUBLIC HEARINGS AND/OR ACTION ITEMS

6. Public Hearing/Action Item: Public Hearing regarding condition violations on the Burk Harrington Construction CUP – Richard Petersen-Cremer

Richard P-C. outlined the issues:

Staff requests a public hearing that was continued from the February 17, 2021 meeting for the purposes of following the process outlined in Resolution 28 – Series 2018, a Resolution approving conditional use permit application CU 03 – 2018 for Burke Harrington Construction, UPRR Railroad Ave, Town of Minturn.

As discussed during the Feb 17th Council meeting, which the CUP holder was unable to attend, the town manager would schedule to meet with the CUP holder prior to the continued meeting date. Burke and I have met and reviewed the issues, almost all of which stem from vehicles with expired registration. The other issue has been the Jeep Wagoneer, which is owned by a client of the CUP holder and being kept in the leased area while work is being done on their home. It is unclear if

this vehicle is to be considered “work-related.” Staff will work on this definition and others for bringing forward at a later date to rectify issues with the Resolutions pertaining to:

- Staff recommendations for CUP (not immediate revocation)
 - Definitions within the CUP and Resolutions
 - Fine/Fee structure applicability
 - Parking

Additionally, Burke requested a quarterly meeting with the town manager for review of the properties. I am supportive of this request but remind everyone that the CUP must be in compliance at all times.

A complete introduction and background of the Union Pacific Railroad (PUD Holding Zone) Conditional Use process can be reviewed within the Staff Report provided during the 2020 CUP review process and included as an attachment herein.

Of recent issue, and the reason for a request for public hearing, is due to Burke Harrington Construction receiving a third violation notice within a 12-month period. As outlined and approved within Resolution 28 – Series 2018 condition #6, three violations within one-year trigger a recommendation to Council for revocation of the CUP.

Staff sent warning notices to Burk Harrington Construction in May and June of 2020 and then met with Mr. Harrington after receiving several resident complaints regarding the storage of non-work-related vehicles, and the absence of fencing and/or green screening around lease area boundaries.

By July 2020 the two warnings had not been addressed and therefore two violation notices were sent to Burke Harrington Construction for failure to remove a non-work-related vehicle and for failure to erect screened fencing.

In January 2021 Town staff received a complaint from a concerned resident regarding the storage of abandoned and/or unregistered vehicles within the CUP area. On Thursday, January 28, 2021 Town staff visited the CUP site and identified multiple vehicles with expired registrations as well as a vehicle which appeared to be non-work related. A second staff visit on February 2, 2021 found all vehicles in violation to still be present on the CUP property. (See attached Notice of Violation dated January 2021). As indicated by Condition #3 of the Conditional Use Permit; There shall be no inoperable/unlicensed vehicles kept on the property for longer than 5 days as required by the Minturn Municipal Code, Sec 7-2- 70.

These violations were/are Burke Harrington Construction’s third notice of violation. As identified in Resolution 28 – Series 2018, a third notice of violation in a 12-month period initiates staff to escalate the issue to the Council-level for recommended revocation of the CUP. Revocation is at the sole discretion of the Town Council.

The process for addressing PUD Holding Zone Conditional Use Permits as outlined in Resolution 28 – Series 2018 requires staff to recommend revocation of the CUP – the Resolution provides no

leeway on this matter. The Resolution does allow for the Council to hear the issues and make an independent determination based on all considerations – it does not require the Council to revoke the permit. Should Council determine not to revoke the permit, staff will look for direction on improved methods to ensure compliance, as violations may no longer be an impetus in and of themselves for a violating CUP holder to follow the conditions outlines.

Mr. Burk Harrington was present as the lease holder. He noted he has addressed many of the issues by updating and also removing the vehicles. He discussed what makes a vehicle a personal vehicle, his personal vehicles are licensed by his company.

Discussion ensued that a walk through or a short meeting every so often would alleviate the concern of time not well spent by staff. Council noted the guidelines and the burden of enforcement.

Earle B. stated according to the conditions, once they get a complaint staff then needs to forward those expressed to the leaseholder. At that point the discussion should take place. He agreed that misunderstandings tend to extend the time needed by staff to investigate. He asked for Staff to work on how items are addressed with the leaseholder and how we can be less vague on the enforcement requirement language contained in the CUP. The uses requested by the leaseholder should be considered when we set the requirements for the CUP.

Terry A. noted the railyard was a mess and it has been cleaned up. Now that we have cleaned up most of the concerns, we can revisit the goals and CUP conditions to ensure we don't have a junkyard. It is industrial land and we need to ensure this is allowed in a clean and business-like manner.

George B. felt the periodic meetings would be beneficial.

Brian E. was encouraged by the efforts of Mr. Harrington to address the identified concerns. He asked for clarification of some of the CUP terms such as Non-Related Work Vehicles. It may be clearer to identify what is a related work vehicle as opposed to what is not. He stated the Wagoner was confusing whether it was a work vehicle or not as it was dependent on it being associated with a working project of Mr. Harrington's.

Mr. Harrington addressed he missed the meeting, was not able to access as he was out of town, but he has addressed the majority of concerns.

John W. clarified these were the conditions put in place and how to administer violations, we are finding that does not work as well as hoped.

Public Hearing Opened
No Public Comment
Public Hearing Closed

Motion by Terry A., second by George B., to reject the staff recommendation to revoke the Burk Harrington Construction CUP although finding this is a third violation. At this point the third violation will be pulled back. A new violation will once again bring about the need for Council review. Motion passed 7-0.

Direction given based on the Staff Report was to return to Council at a later date with recommendations on the following:

- Definitions within the CUP and Resolutions

- Fine/Fee structure applicability
- Parking

COUNCIL INFORMATION / UPDATES

7. Staff Updates (5 Min)

- Manager's Report

Planning Commission Openings

Four planning commission seats will be open for appointment at the April 7, 2021 Minturn Town Council meeting. One-year of Minturn residency is required to apply. Anyone who has a background in planning, development, construction, architecture or similar expertise is strongly encouraged to apply. Submit inquiries to planner1@minturn.org.

Tennessee Pass Rail Line

Anyone wishing to obtain information regarding the potential for a Tennessee Pass rail line reactivation is encouraged to go to: https://engage.avon.org/tennessee-rail-line?tool=news_feed#tool_tab. The most recent documents have been posted and there is also a portal for leaving comments for municipal council members.

Holy Cross Energy Transmission Lines

The United States Forest Service is working to bring open the second round of comments on the draft environmental analysis by spring 2021. Residents interested in learning about the high transmission power lines, the route lines will be taking, local impacts and more should visit the USFS project site at: <https://www.fs.usda.gov/project/?project=57224>.

Planned Unit Development Applications

The planning department has created a web page to provide information related to open PUD applications. Anyone interested in learning about development proposals should visit: <https://www.minturn.org/planning-zoning/pages/active-planning-applications>.

Small Communities Grant Application

Minturn is applying this week for a \$50,000 matching grant application toward the planning and design of a new water treatment plant. More information about the grant can be found here: <https://cdphe.colorado.gov/water-quality/drinking-water-resources-for-water-systems/grants-and-loans/grants/small-communities>.

Minturn Fitness Center

The MFC board and staff have been hard at work making improvements to scheduling and equipment in an attempt to improve the public experience. The board's next meeting is scheduled for April 6, 2021 from 1:00-3:00 pm. Anyone wishing to provide feedback in advance can send inquiries to manager@minturn.org.

CDOT Grant Award - Outdoor Summer Seating

Minturn received a \$50,000 grant for the construction of outdoor seating areas in the downtown and Eagle Park areas. This effort will promote patronage at local restaurants while allowing for outdoor seating to ensure covid social distancing protocols can be maintained. This will include seating structures and additional picnic tables. Construction is expected to begin this spring.

Town Clean-Up Day

Clean-up day is scheduled for June 5, 2021. The Town is wanting to provide ample notice that **ONLY ONE VEHICLE-LOAD PER HOUSEHOLD WILL BE ALLOWED THIS YEAR.** For those of you who are used to bringing upwards of 10+ truckloads, please prepare in advance. The Town wishes to leave space for everyone to utilize this service. Thank you for your understanding.

Brian E. highlighted the Town Clean Up Day will be accepting only one vehicle of trash from each resident. This year this will be limited and encouraged all to plan accordingly.

- Future Agenda Items

Terry A. asked to schedule a wildlife roundtable presentation. She will get with Michelle M. Regarding scheduling.

John W. noted the Climate Action Committee update

Brian E. noted the CUP regulation review.

MISCELLANEOUS ITEMS

8. Future Meeting Dates

- a) Council Meetings:
- April 7, 2021
 - April 21, 2021
 - May 5, 2021

9. Other Dates:

- Town Clean-up Day – June 5, 2021
-

10. Adjournment

Motion by Earle B., second by Terry A., to adjourn at 6:46pm. Motion passed 7-0.



To: Mayor and Council
From: Madison Harris, Planner I
Date: April 2, 2021

Agenda Item: Recent Planning Commission Recommendations and Actions

REQUEST:

Review and ratification of Planning Commission actions from their regular meeting of March 24, 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:

832 Main Street – Jones Residence

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

INTRODUCTION:

832 Main Street Final Plan

At their regular meeting of March 24, 2021, the Planning Commission, acting as the Town of Minturn Design Review Board, reviewed the final plans for a new construction at the Jones Residence located at 832 Main 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 roof overhang encroachment 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 four of the conditions proposed by Town Staff, plus two conditions implemented by the Planning Commission:

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.
2. The Applicant shall provide the Town with an updated Grading and Drainage Plan to more clearly demonstrate that positive drainage will be provided around the structure,

- and that the drainage is maintained on the Jones' property.
3. The Applicant shall provide the Town with an updated Site and Landscape Plan that more clearly labels the 30-foot live stream/creek setback line.
 4. The Applicant and Staff shall address Intermountain Engineering's concerns prior to, or concurrent with, the Building Permit application process to the satisfaction of Staff.
 5. All existing features must be labeled as such on plans moving forward.
 6. No building permit will be issued for the current design until such time that the Minturn Municipal Code is amended to allow for roof overhangs into the 30 foot river setback.

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. 832 Main Street – Jones Residence – Final Plan

ATTACHMENTS:

- Proposed exterior elevation drawings and site plans for 832 Main Street
- Staff Report



DESIGN REVIEW APPLICATION

TOWN OF MINTURN PLANNING AND ZONING DEPARTMENT
 P.O. Box 309 302 Pine Street Minturn, Colorado 81649-0309
 Phone: 970-827-5645 Fax: 970-827-5545 Email: planner@minturn.org

Project Name:

Jones Residence

Project Location

Street Address: 832 Main Street, Minturn, CO 81645

Zoning: **South Town, Residential**

Parcel Number(s): **2103-351-02-003**

Application Request:

A new single family residence consisting of a 2-car garage where the mechanical room will be accessed from, 4 bedrooms, 4 1/2 baths, a great room with the kitchen/living/dining areas, a mudroom, a laundry room, an unfinished basement under part of the structure and a crawl space under part of the structure.

Applicant:

Name: Michael Pukas, mpp design shop, inc.

Mailing Address: PO Box 288, Gypsum, CO 81637

Phone: (970) 390-4931

Email: michael@mppdesignshop.com

Property Owner:

Name: **Pamela & Craig Jones**

Mailing Address: 265 Willow Glen Court
 Boulder, CO 80302

Phone: (650) 384-5811

Email: craig@TPEBoulder.com

Required Information:

Lot Size: 0.13acres 5,695 sf	Type of Residence (Single Family, ADU, Duplex) Single Family	# of Bedrooms 4	# On-site Parking Spaces 4
# of Stories: 2	Snow storage sq ft: 225	Building Footprint sq ft: 1,952	Total sq ft Impervious Surface: 2,747

Signature:

Fee Paid: \$200- Date Received: 3/17/21 Planner: Madison Turner



④ PERSPECTIVE NORTHWEST



② PERSPECTIVE NORTHEAST



③ PERSPECTIVE SOUTHWEST



① PERSPECTIVE SOUTHEAST



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



Jones Residence
 832 Main Street
 Minturn, CO 81645
 Parcel Number: 2103-351-02-003
 South Minturn Addition, Lot 35

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 MPP DESIGN SHOP, INC. IS THE SOLE OWNER AND
 AUTHOR OF THE INTELLECTUAL AND PHYSICAL
 PROPERTY OF THE DESIGN OF THE PROJECT AND
 INSTRUMENTS OF SERVICE, CONSISTING OF THE
 DRAWINGS AND DOCUMENTS CONTAINED HEREIN.
 MPP DESIGN SHOP, INC. GRANTS THE CLIENT OF
 THE PROJECT PERMISSION TO USE THE INSTRUMENTS
 OF SERVICE SOLELY FOR CONSTRUCTING AND
 MAINTAINING THE PROJECT AT THE LOCATION
 INDICATED HEREIN. REUSE, REPRODUCTION OR
 PUBLICATION, IN WHOLE OR IN PART, OF THE
 INSTRUMENTS OF SERVICE, BY ANY OTHER ENTITY
 AND/OR AT ANY OTHER LOCATION IS PROHIBITED
 AND IS A VIOLATION OF FEDERAL AND STATE
 COPYRIGHT LAWS.

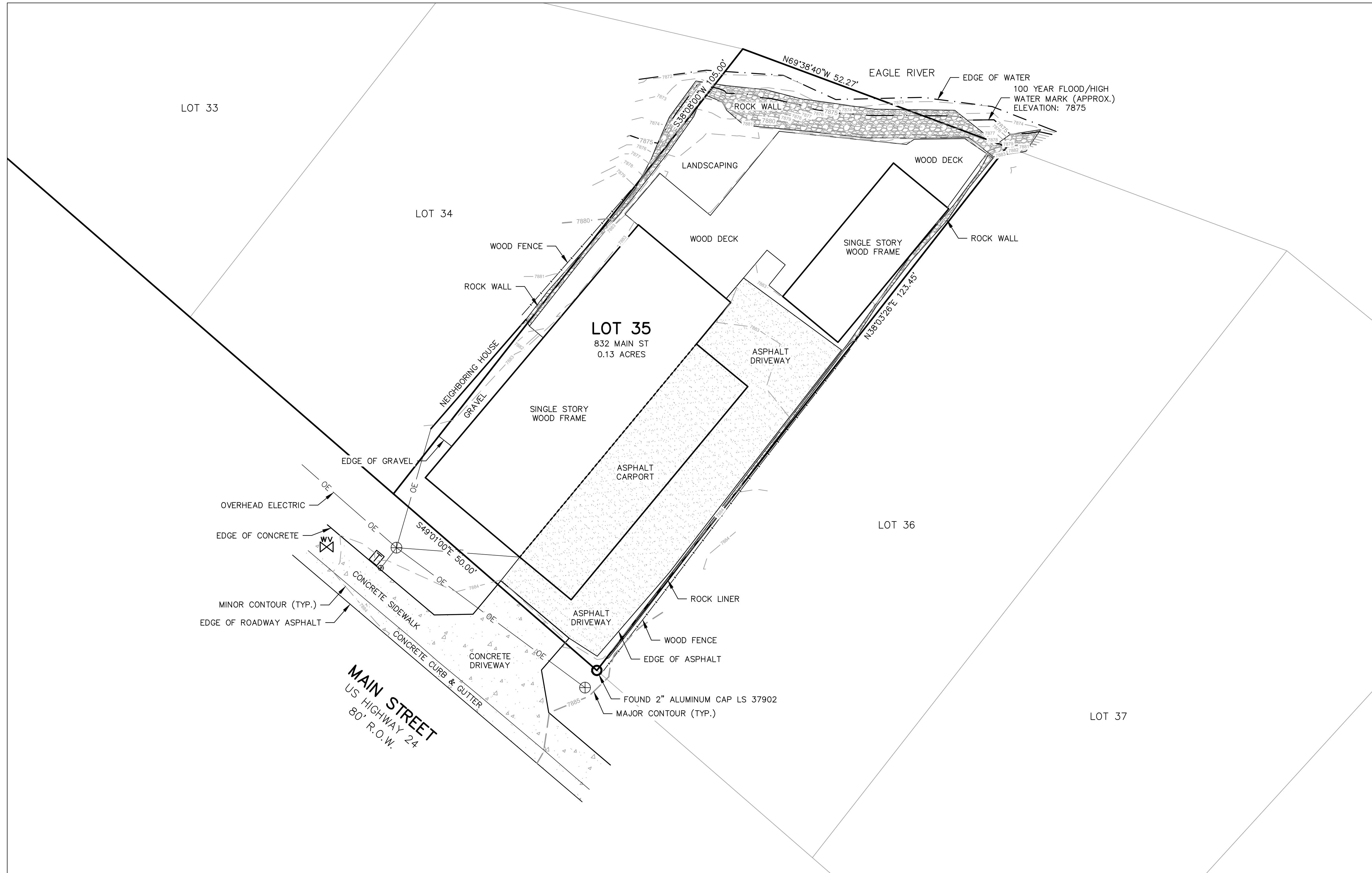
#	Description	Date
1	DRB Submission	03/18/21

Project Number: 2005
 Designed by: mpp
 Drawn by: mpp
 Checked by: mpp

PERSPECTIVE VIEWS

EXISTING CONDITIONS SITE MAP LOT 35, SOUTH MINTURN ADDITION

Section 35, Township 5S , Range 81W of the 6th Principal Meridian
County of Eagle, State of Colorado



LEGAL DESCRIPTION

Lot 35, South Minturn Addition to the Town of Minturn, recorded on March 1, 1978 at Reception No. 163774 at the Office of the Clerk and Recorder, County of Eagle, State of Colorado.

NOTES

- 1) Survey Date: September 22, 2020.
- 2) Contour interval: 1-foot.
- 3) Elevation datum: Marcin Engineering control point #58, CDOT Minturn Resurfacing Project. Elevation = 7894.52.
- 4) This Survey does not constitute a boundary survey nor any investigation into record easements or encumbrances associated with this property. No Title Commitment was supplied to the Surveyor.
- 5) Utilities are shown approximately and should be field verified prior to excavation.
- 6) Marcin Engineering LLC does not warrant or certify to the integrity of any Digital Data supplied in conjunction with this map and survey.
- 7) STREET ADDRESS: 832 Main Street, Minturn, CO 81645.
- 8) Parcel Boundary was based on the found 2" aluminum cap at the southern property corner of Lot 35.
- 9) 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.
- 10) No Title Commitment was performed for this survey.
- 11) High water mark: No high water mark was visible. Assume 100-year flood elevation is equal to high water mark. High water flood elevation of 7875 feet was obtained from Eagle County FEMA information collaboration on Eagle County GIS website.

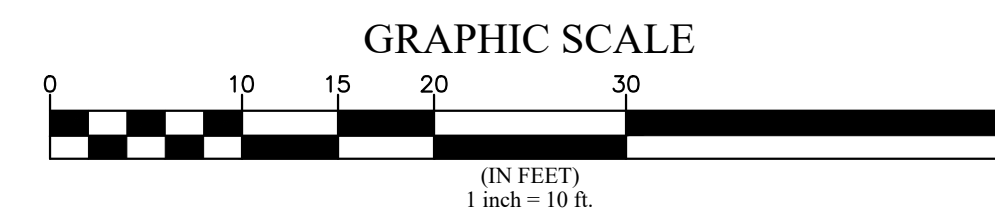
SURVEYOR'S CERTIFICATION

I, Raymond M. Elko, a Professional Land Surveyor in the State of Colorado, hereby certify that this Existing Conditions Site Map of 832 MAIN STREET was done by me or under my direct supervision and that both are accurate to the best of my knowledge.

Raymond M. Elko, PLS 38444
Colorado Professional
Land Surveyor



LEGEND	
	CONCRETE
	ASPHALT
	ROCK
	FOUND ALUMINUM CAP
	UTILITY POLE
	WATER VALVE
	TELEPHONE PEDESTAL



TOPOGRAPHIC MAP LOT 35, SOUTH MINTURN ADDITION Town of Minturn, County of Eagle, State of Colorado	
DRAWN BY: TLV	DATE: 9/23/2020
CHECKED BY: RME	DRAWING NO.: TOPO
JOB NO: 20074	SHEET: 1 OF 1

MARCIN ENGINEERING LLC

101 EAGLE RD, #5
P.O. BOX 1062
AVON, CO 81620
(970) 748-0274



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.

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

Jones Residence – Conceptual Plan Review for New Home

832 Main Street

Hearing Date:	March 24, 2021
File Name and Process:	Single-Family Residence Conceptual Plan Review
Owner/Applicant:	Pamela and Craig Jones
Representative:	Michael Pukas, MPP Design Shop, Inc.
Legal Description:	South Minturn Addition, Lot 35
Address:	832 Main Street
Zoning:	South 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 Applicants, Pamela and Craig Jones, request Final Plan review of a new, three-bedroom, 4,205 square foot single-family residence located at 832 Main Street in the South Town Residential Zone District. The Applicants have been proactive in meeting with Town staff prior to submitting plans for a new home and have provided a relatively complete and thorough set of site, landscaping, and architectural plans. Due to issues that

might require a variance, staff is recommending that Planning Commission conduct a conceptual level review of the project.

Proposed Plans

The plans show a two-story, three-bedroom structure with a maximum building height - measured to the midpoint of the roof - of 27 feet above proposed grade, within the maximum allowable 28-foot limit 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*, Minturn Municipal Code.

Parking is adequate, with four off-street spaces provided (two in the garage and two surface spaces in front of the garage). The plans show an “unfinished basement” with a window well that appears to meet requirements for egress (i.e., the space could be used for a fifth bedroom if finished). Should the unfinished basement be completed and utilized as a bedroom, the parking requirements will still be met. However, staff has concerns about the lack of maneuverability on the site. The cars parked in the garage may be able to make the turn in reverse to use the hammerhead part of the driveway, then exit the property in a forward gear. However, it appears the cars parked in front of the garage will be forced to back out into Highway 24 traffic.

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 final plan application:

- **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.
- **Grading and Drainage Plan** – the site plan may need to be updated to more clearly demonstrate that positive drainage will be provided around the structure, and that the drainage is maintained on the Jones’ property.
- **Site and Landscape Plan** – the site and landscape plans should more clearly label the 30-foot live stream/creek setback line.
- **Setback Encroachments** – the plans show minor encroachments of roof overhangs into setbacks that are no greater than 18 inches. However, three corners of roof overhang on the rear of the residence encroach into the 30-foot live stream/creek setback which is prohibited by Sec. 16-2-50 (1) of the Minturn Municipal Code:

A maximum of eighteen (18) inches of roof eave may encroach into the

required front, rear, and side yard setbacks. No encroachment of structures or roof eaves is permitted within the thirty-foot live stream setback area.

The site survey provided with this submittal shows an existing deck structure in the rear yard that is located within the 30' stream setback. The plans show removal of the majority of that pre-existing, non-conforming structure while the Applicant proposes to maintain a small portion of the existing deck. The remaining portions of the deck will continue to encroach 7.5 feet into the 30-foot setback. This is permissible in accordance with Article 22 of the Minturn Municipal Code.

There is an existing railing along the edge of the existing non-conforming deck that is in disrepair. The applicant is proposing to remove the deck and the railing in that area of the property but is also proposing to install a new safety fence at the edge of a steep embankment leading to Eagle River. The new safety fence would be 3.5 feet tall, constructed with 4x4" wood posts and 4x4" black welded wire mesh in order to protect the Applicant's dogs from falling down the steep riverbank.

Section 16-2-50 – Specific Lot Requirements and Dimensional Standards, of the MMC is applicable with regard to improvements within the stream setback:

- (a) Portions of a lot contained in a river or creek as defined by the ordinary high-water mark, shall not be included in the lot's square footage for purposes of calculating the maximum building lot coverage or the maximum impervious surface area.*
- (b) Setback from river/creeks. A strip of land measured horizontally from the ordinary highwater mark on each side of any live creek shall be protected in its natural state. If necessary to protect the river or creek, additional river/creek setback may be required. **Underground utilities may be located in the river/creek setback; provided that there is no practical alternative location for such utilities, that plans are approved by the Town Council as a conditional use and that all construction scars are revegetated. Otherwise, river and creek setbacks are to remain natural vegetation.***
- (c) The river or creek setback shall remain, or be re-vegetated to, natural riparian vegetation. **No manmade structures may be placed in the river or creek setback except as permitted by this [Chapter 16](#).***

As reference in subparagraph (b) above, the only apparent improvements permitted within the live stream setback area are underground utilities which would be approved via Conditional Use Permit. Staff does not believe Section 16-2-50 of the MMC contemplates situations such as the one presented at the Jones residence where there may be a valid need for fence or other enclosure for safety reasons.

At this time, staff can only suggest that a variance application may be required for the rear yard safety fence.

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

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

This is a conceptual plan-level of review for a new single-family residential structure on a legally created lot within the Town of Minturn. This is not a formal hearing, but is an 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.

A variance may be required or requested at this time pertaining to encroachments of roof eaves as well as the proposed safety fence encroaching into the 30-foot live stream/creek setback.

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 832 Main Street meet or can be revised to meet the required findings 'a,' 'b,' and 'c' or subparagraph 3 – *Necessary findings*.

III. Zoning Analysis:

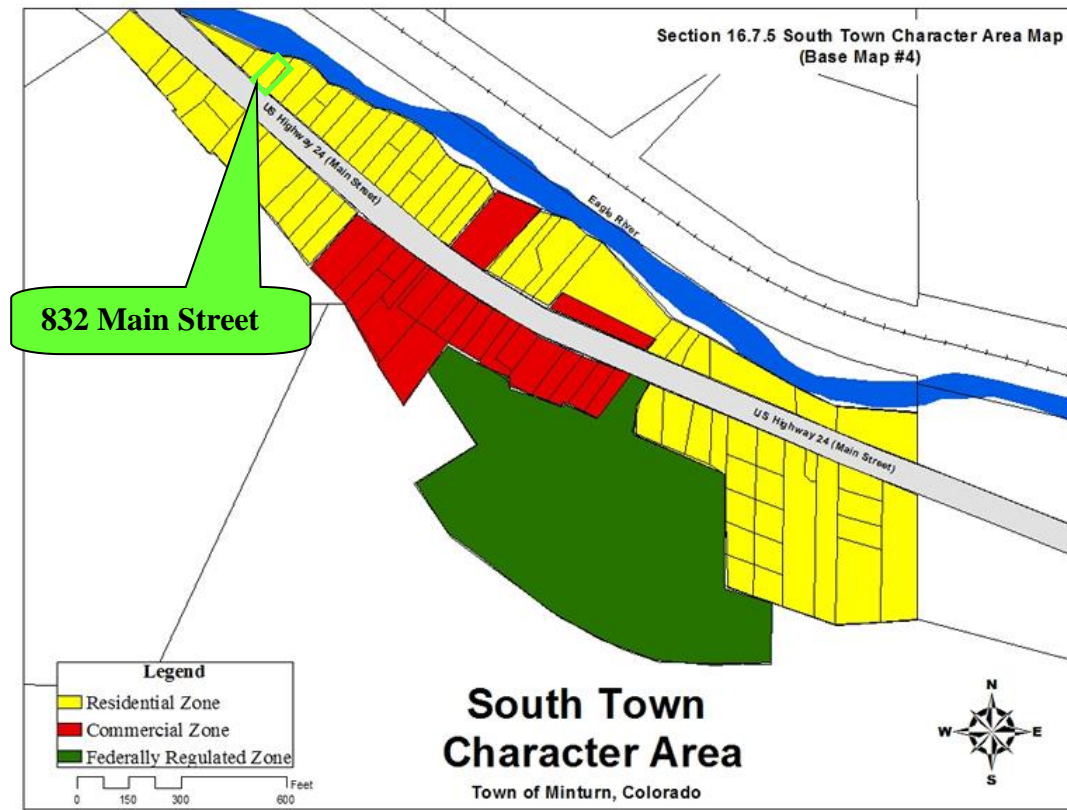
Zoning

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

- (a) *The neighborhood is bisected by Highway 24 and is **characterized by single-family residences and accessory buildings. The residences are typically one (1) and two (2) stories, with outbuildings on larger lots than found in Old Town. Low-density residential and public recreational and open space use along the Eagle River is encouraged. Higher density residential development can be accommodated on the south side of Main Street if it remains in character and all impacts are adequately addressed.***
- (b) *The purpose of this area is to provide for continued residential use that benefits from proximity along the Eagle River. New development and redevelopment should preserve the unique character and scale of the **neighborhood.** An objective is to retain the residential areas as quiet and safe neighborhoods while allowing for compatible and appropriate nearby commercial. This area can accommodate reasonable growth where land and services are available.*

- Town of Minturn Town Code Section 16-7-20

Figure 1: South Town Character Area Zoning Map



Dimensional Limitations and Development Standards

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

Regulation	Allowed/Required	Proposed/Existing
Minimum Lot Area:	5,000 sq. ft.	5,508 sq. ft. (.13 ac.)
Maximum Building Height:	28 feet	27 feet ¾ inches
Minimum Front Setback:	20 feet	20 feet
Minimum Side Setback:	5 feet	5 feet
Minimum Rear Setback:	10 feet	10+ feet
Maximum Lot Coverage:	40% (2,203.2 sq. ft.)	1,952 sq. ft. (35.44%) Proposed
Maximum Impervious Coverage:	50% (2,754 sq. ft.)	2,747 sq. ft. (49.87%) Proposed
Minimum Snow Storage Area:	5% of Driveway (619.69 sq. ft. x .05 = 30.98 sq. ft.)	225 sq. ft.
Parking:	3 spaces	4 spaces

Note: the above calculations are based on the following:

Lot 35 = .13 acres x 43,560 sq. ft./acre = 5,695 sq. ft.
(Note: a portion of Lot 35 is encumbered by the Eagle River and thus is not counted in the calculation for lot area)
Effective Lot Area is 5,508 sq. ft.

619.69 sq. ft. parking area x .05% = 30.98 sq. ft. (Required Snow Storage)

IV. Applicable Standards and Design Guideline Criteria:

Design

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

Final Site, Grading and Drainage Design

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

The proposed design maintains the structure and roof forms within required setbacks, with only minor encroachments of roof overhangs of less than 18” into the northwestern side yard setback, southwestern front yard setback, and northeastern rear yard/live-stream

setback. Generally, setbacks are maintained thus allowing for full use of side yard areas for snow shed and drainage. However, the site plan and final grading and drainage details are not present to generally demonstrate that proper (positive) grading and drainage will be directed in swales away from the structure; that drainage is handled on the subject property.

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. Proposed roof forms and pitches, materials and textures are compatible and complimentary to the surrounding built and natural environments.

V. Issues and Areas of Non-Conformance:

Issues or Required Plan Revisions

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

Encroachments into Setbacks

The plans show minor encroachments of roof overhangs into setbacks that are no larger than 18 inches. However, roof overhangs at the rear of the structure encroach into the 30-foot live stream/creek setback which is prohibited by the Minturn Municipal Code.

There is an existing safety fence along the edge of the existing, non-conforming deck in disrepair. After the pre-existing deck is removed from this area of the property, the Applicant is proposing a new safety fence be installed at the top of a steep embankment along the Eagle River. The fence would consist of 3.5 feet tall

4x4” wood posts and 4x4” black welded wire mesh in order to protect the Applicant’s dogs from falling down the steep riverbank – approximately a 10 foot drop-off to the river.

The roof overhangs and the safety fence will require a variance due to encroachment into the 30-foot live stream/creek setback. The variance requests should be submitted with any final plans.

Grading and Drainage Plan

The drainage plan needs to be updated to more clearly demonstrate that positive drainage will be provided around the structure, and that the drainage is maintained on the Jones’ property.

Site and Landscape Plan

The site and landscape plans should more clearly label the 30-foot live stream/creek setback line.

Staff referred this final plan to the Town Engineer (Intermountain Engineering) and the Town Public Works Department for comments. Staff has not yet received the comments from the Town Engineer to incorporate into this staff report. Public Works Department did not have any comments.

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 Conceptual Plans for 832 Main 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, with the exception of the proposed encroachments into the 30 foot stream setback.

Staff is **recommending conceptual approval** of the plans, with the following recommended condition(s):

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 final plan application 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 provide the Town with an updated Grading and Drainage Plan to more clearly demonstrate that positive drainage will be provided around the structure, and that the drainage is maintained on the Jones’ property.
3. The Applicant shall provide the Town with an updated Site and Landscape Plan that more clearly labels the 30-foot live stream/creek setback line.

4. The Applicant shall address Intermountain Engineering's concerns prior to, or concurrent with, the Final Plan application process.
5. The Applicant is required to apply for a variance for relief from Section 16-2-50 – Specific Lot Requirements and Dimensional Standards, Minturn Municipal Code for roof overhang encroachments into the live stream setback area as well as for any proposed safety fence improvement within the live stream setback area.

TOWN OF MINTURN
301 Boulder St #309 ♦ 302 Pine Street
Minturn, CO 81645
Phone: 970-827-5645 Fax: 970-827-5545



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

March 30, 2021

Nuria Fernandez
Acting Administrator, Federal Transportation Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

Subject: Letter of Support for ECO Transit FTA Low or No Emission Grant Program Application

Dear Ms. Fernandez,

I am pleased to express support for ECO Transit's FY2021 FTA Section 5339(c), Low or No Emission Grant Program proposal for improvements to the Lake Creek Apartment bus stop in West Edwards, including on-route charging infrastructure and related facility improvements. As the Mayor of the Town of Minturn, I encourage you to look favorably upon this project.

ECO Transit is a rural transit agency that connects communities along the I-70, U.S. Highway 6, and U.S. Highway 24 corridors including Vail, Avon, Eagle, Gypsum, and Leadville, in west-central Colorado. ECO Transit service extends for more than 70 miles one-way, and provides over 1 million trips per year to residents and visitors. ECO Transit connects to local transit systems in Vail, Avon, and Beaver Creek, as well as the Eagle County Regional Airport and the statewide Bustang transit service.

ECO Transit's service is critical to maintaining economic vitality and quality of life in Eagle County. ECO Transit provides safe, affordable, reliable transportation for a diverse community that faces high housing costs and long commutes to work, school, and health care. It reduces traffic congestion coming into and out of job and entertainment centers such as Vail, Avon, and Beaver Creek. Last but not least, it mitigates the impacts of traffic and population growth on our air quality and natural environment - critical assets for our outdoor-oriented economy.

ECO Transit has already deployed Battery Electric Bus (BEB) technology supported by previous Low-No Grant funding. The 2021 Low-No grant program offers ECO Transit the opportunity to build on its existing BEB program by funding installation of a 500kW inverted pantograph on-route charger and related site improvements at a heavily used transit stop serving the West Edwards community. These improvements would allow ECO Transit to optimize the use of electric buses on its most productive route, improve safety and

circulation, and spur additional county-led investments in roadway and pedestrian infrastructure improvements in an area with documented environmental justice issues.

Grant funding to support electrification efforts is critical as demand for transit in our region is growing and local resources are insufficient to meet all of our needs. ECO Transit and its technology partner, Proterra, are highly professional and reputable organizations with a long history of successfully transit delivery and efficient and effective use of grant funds. I support the proposed project and encourage you to support ECO Transit's efforts to improve electric charging infrastructure, increase use of zero emission BEBs, and expedite fleet electrification plans.

Sincerely,

John Widerman, Mayor
Town of Minturn

From: [Karl Bauer](#)
To: [Eric Heil](#); [Michelle Metteer](#); [Barb Smith](#)
Subject: Eagle Valley Wildland
Date: Wednesday, March 17, 2021 8:58:30 PM
Attachments: [image004.png](#)
[Eagle Valley Wildland Program 2021 Proposal.docx](#)

Good Evening:

Following yesterday's work session presentation regarding Eagle Valley Wildland's (EV Wildland) 2021 program proposal (attached), the County Commissioners authorized me to inform you that they intend to kick-start the program by having the County pay the entirety of the program's 2021 budget of \$184,740.

Accordingly, I'm sharing this good news with each of you, and letting you know that EV Wildland will initiate enhancements to its wildland mitigation, suppression, and public education/outreach efforts, as described in the attached proposal, as quickly as the process of finalization of official approval allows.

Given the growing, and abiding wildland fire risk that exists throughout the area, the long-term commitment required to effectively reduce this risk, and knowing that the County will pay the program's 2021 budget, I would like to speak with each of you about developing a joint funding plan for 2022 and beyond that includes as many partners – including the County, Towns and Metro Districts – as would be willing to help ensure the success of EV Wildland's comprehensive efforts to reduce the area's wildfire risk.

I recognize that each of you contend with budget calendars that require a great deal of your time and forethought, and am quite happy to meet at a time that best fits the constraints attendant to planning your 2022 budget deliberations.

And, of course, I am quite glad to meet simply to provide you and your elected officials with an overview of EV Wildland (Michelle, as we discussed, I have April 7th on my calendar).

We're excited to have the County's support and look forward to working with all of you – and additional partners – to build EV Wildland into the kind of comprehensive wildland fire program that all of our communities deserve, and the area's wildland fire risk demands.

Genuinely, thank you,

Karl



Eagle River Fire Protection District
Ready to Serve

Karl Bauer, Fire Chief
970 748-4765
kbauer@eagleriverfire.org

PO Box 2942
Edwards, CO 81632



Eagle River Fire Protection District is a professional fire service agency and proudly serves Camp Hale, Tennessee Pass, Redcliff, Minturn, EagleVail, Avon, Mountain Star, Wildridge, Beaver Creek (Contractual agreement), Bachelor Gulch, Arrowhead, Homestead, Edwards, Lake Creek, Singletree, Pilgrim Downs, Cordillera, Bellyache Ridge, Red Sky Ranch and portions of I-70, Hwy 6 & 24.

Eagle Valley Wildland Program

Reducing wildfire risk through effective mitigation, appropriately-scaled wildfire suppression, and collaborative community outreach and education

2021 Program Proposal



Eagle River Fire Protection District
Greater Eagle Fire Protection District

Issue:

Twenty of Colorado's largest wildfires have occurred within the last twenty years. Four out of the five largest fires in State history have occurred within the last three years. In 2020, the Grizzly Creek Fire burned over 32,000 acres and directly threatened several communities within Eagle County.

A worrisome trendline now points to Eagle County's increasing vulnerability to wildfire destruction.

Eagle County residents and visitors live, work and recreate in areas which, according to the Colorado State Forest Service, are directly threatened by potential wildfires; while the soaring value of improved property throughout the Eagle Valley causes overall values-at-risk to exceed those of many other Colorado communities.

Additionally, according to the US Drought Monitor, nearly all of Eagle County suffers from an exceptional (D4) level of drought. Anecdotally, snow melts earlier in the spring, and rain comes later in the fall; and, what was once a four-month "fire season" now appears to last six to eight months. Factually, according to the U.S. Department of Agriculture, wildfire season in the West now lasts 78 days longer than it did in the 1970's.

In response to this growing threat from uncontrolled wildfire, in 2020 the Greater Eagle and Eagle River Fire Protection Districts (GEFPD and ERFPD, respectively) cooperatively launched the Eagle Valley Wildland Program. More commonly known as EV Wildland, the intent of this joint wildland program is to reduce the overall wildfire risk of the communities it serves through effective mitigation, appropriately-scaled wildfire suppression, and collaborative community outreach and education.

Since 2020, GEFPD and ERFPD have jointly dedicated to EV Wildland approximately \$1.37M for both capital and operating costs. Of critical importance, however, while the fire districts possess the expertise and leadership required to safely, effectively and efficiently oversee a successful wildland program of the scope and scale necessary to meet the community's growing wildfire risk, they lack the personnel needed to effect desired outcomes.

Eagle Valley Wildland Program – 2021 Goals

Leveraging the power of community partnerships, including cost-sharing opportunities, EV Wildland proposes adding two additional personnel to its 2021 program without increasing the \$1.37M which the two fire districts have already dedicated to the program through 2021.

Specifically, EV Wildland's goals for 2021 include:

- Implement risk reduction strategies in communities served by EV Wildland, in collaboration with Eagle County's Wildland Mitigation program
- Foster partnerships with other communities served by EV Wildland.
- Enhance ongoing community outreach and education efforts

This proposal includes costs associated with adding two employees in 2021. These employees will be integral to meeting the aforementioned goals, and establishing a solid foundation upon which to build the program's future success.

Total Estimated Cost for 2021: \$184,740

2021 Proposal Detail

2021 Equipment Costs

Item:	Unit Cost	Number of Units	Line Item Total
Personal Protective Equip.	\$1200	4 (2 sets per person)	\$4800
Uniforms	\$500.00	2	\$1000
800 mhz handheld Radios	\$3000	2	\$6000
BK Radio	\$1500	2	\$3000
Laptop Computers Accessories	\$2500	2	\$5000
Cell Phones	\$800	2	\$1600
iPad with Accessories	\$600	2	\$1200
Misc. (related to hiring)	\$750	2	1500
Total 2021 Equipment			\$22,500

2021 Recurring Costs

Item	Estimated Cost Per/month	Number of items	Total Cost per Year
Data Plans	\$50	4	\$2400
Computer and iPad Software	\$25	4	\$1200
Apparatus Repair/Maintenance	\$250	2	\$6000
Fuel	\$300	1	\$3600
Total 2021 Recurring			\$13,200

2021 Personnel Costs

Position	Number of Positions	Hourly Wage	Benefits	Cost Per Hour	Hiring Cost	Total
Crew Boss	2	\$25.00	10.25	35.25	\$1200	\$149,040
Total 2021 Personnel						\$149,040

Eagle Valley Wildland Program – Future Objectives

Beyond 2021, EV Wildland envisions adding additional personnel, equipment and apparatus to its program, by which to further ongoing wildland fire mitigation projects and enhance wildland fire response. EV Wildland staff can provide details regarding program goals, objectives, and estimated costs for 2022 and beyond.



To: Mayor and Council
From: Michelle Metteer
Date: April 7, 2021
Agenda Item: Revitalizing Main Street – CDOT Grant Opportunity

REQUEST: Council to approve work for the submittal of a \$2M CDOT HWY 24 Sidewalk grant application.

INTRODUCTION:

As a part of Colorado’s COVID-19 Recovery Plan, the Revitalizing Main Streets Program was made possible through a \$30 million allocation from the state legislature in March 2021. This program is intended to help communities across the state implement transportation-related projects that improve safety and yield long-term benefits to community main streets. When defining a main street, CDOT is aiming to support areas in or adjacent to community-focused, downtowns where people work, dine and shop. These routes help form a specific region’s identity and act as the major economic hub in many towns and cities across Colorado.

As Colorado recovers from COVID-19 and returns to a new normal, this program provides two separate grant opportunities to support local communities as they find innovative ways to reuse public spaces and help businesses reopen safely, while improving multimodal safety and accessibility along urban arterials. (the above two paragraphs were taken from the CDOT Revitalizing Main Streets program description)

Council should note: the sidewalk project is an ongoing effort as funds/grant opportunities become available. Council should provide ongoing direction to staff and consultants regarding the desired scope of the project (sidewalks thru Maloit Park vs. bike lane vs multi-user path).

BRIEF HISTORY:

- Minturn prioritized a portion of Segment 1 (downtown) and Segment 2 (South Minturn) of the Main Street Pedestrian Improvement Plan to move forward in design and construction to complete a sidewalk network between downtown and South Minturn
- Minturn was previously awarded TAP and EIAF Grants to complete final design and construction
- Grant funding with local match only allowed for a portion to be constructed from Meek Avenue to the mid-block crossing in South Minturn (combined with a CDOT Resurfacing Project)
- Project was substantially complete in 2019 and closed out in 2020

ANALYSIS:

Here is an expert from the Revitalizing Main Street program which helps to identify application criteria and explain staff reasoning for selection of the (next) southern section of sidewalks along HWY 24/Main St for this application:

Applicants may be awarded up to \$2 million to improve user safety along urban arterials or main street corridors, especially for vulnerable users such as pedestrians, bikers, motorcyclists, transit users, elderly adults, and people with disabilities. This grant is a statewide version of the Safer Main Streets grant offered in CDOT Regions 1 and 4 within the DRCOG Metropolitan Planning Organization boundary in fall 2020.

Applicable roadways must be non-freeway corridors that accommodate multiple modes of transportation. This opportunity is open to state highway facilities and local roads. This grant includes the following safety and economic recovery goals:

- *Reduce fatal and serious injury crashes on the region's transportation system*
- *Support a transportation system that safely accommodates all modes of travel (i.e. driving, taking the bus or any transit system, walking, and biking)*
- *Improve transit access and multimodal mobility*
- *Support the development of connected urban/employment centers and multimodal corridors*
- *Provide safe access to opportunity and mobility for residents of all ages, incomes and abilities — including vulnerable users*
- *Help communities adjust to the new normal travel patterns caused by COVID-19*
- *Play an important and immediate role in job creation/retention and small business investment*

COMMUNITY INPUT: Extensive public discussions, [2019 Community Survey page 31](#) – 69% of residents would like to see sidewalks, pathways and bikeways throughout town.

BUDGET / STAFF IMPACT: \$400,000 (general fund/capital improvements fund)

STRATEGIC PLAN ALIGNMENT:

Practice fair, transparent and communicative local government

Long-term stewardship of the natural beauty and health of Minturn's environment

Sustain and invest in the things that define Minturn as a proud, sturdy mountain town to “keep Minturn Minturn”

Advance decisions/projects/initiatives that expand future opportunity and viability for Minturn

RECOMMENDED ACTION OR PROPOSED MOTION: Approve work toward the submittal of a CDOT grant application.

Motion: I approve the submission of a CDOT Revitalizing Main Street grant application with a potential public cost not to exceed \$400,000.

ATTACHMENTS: CDOT Revitalizing Main Street presentation



MAIN STREET PEDESTRIAN IMPROVEMENTS CDOT REVITALIZING MAIN STREETS GRANT

TOWN COUNCIL MEETING
April 7, 2021



Main Street Project History

- Minturn prioritized a portion of Segment 1 (downtown) and Segment 2 (South Minturn) of the Main Street Pedestrian Improvement Plan to move forward in design and construction to complete a sidewalk network between downtown and South Minturn
- Minturn was previously awarded TAP and EIAF Grants to complete final design and construction
- Grant funding with local match only allowed for a portion to be constructed from Meek Avenue to the mid-block crossing in South Minturn (combined with a CDOT Resurfacing Project)
- Project was substantially complete in 2019 and closed out in 2020

New Grant Opportunity – Revitalizing Main Streets

- CDOT is offering Larger Safety Infrastructure Grants to improve safety along main streets for projects that benefit pedestrians, cyclists, motorcycles, transit users, and people with disabilities
- Maximum grant award is up to \$2M with the opportunity for local match to improve scoring (20% minimum)
- Funding is available as part of the “Build Back Stronger” proposal (state funded)



Proposed Grant Project

- Complete planned sidewalk in South Minturn from where the last project left off to the Boneyard Open Space
- Project elements include:
 - Sidewalk, curb and gutter
 - Drainage improvements
 - On-street parking
 - Complete pedestrian network from downtown to the Boneyard Open Space



MAIN STREET PEDESTRIAN IMPROVEMENTS PLAN PROJECT OVERVIEW MAP

SEGMENT 3
WIDEN HIGHWAY TO
PROVIDE SHOULDERS TO
ACCOMMODATE BICYCLES



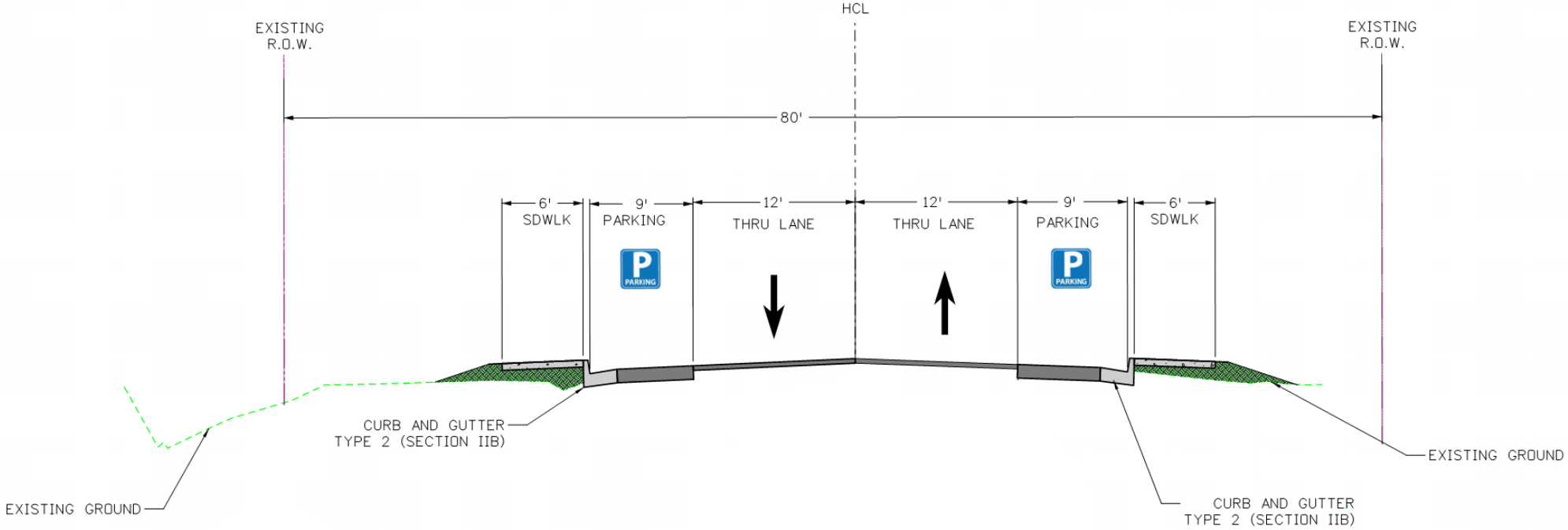
SEGMENT 1
EXTEND THE DOWNTOWN
CORRIDOR - IMPROVE
FACILITIES TO MEET ADA
REQUIREMENTS

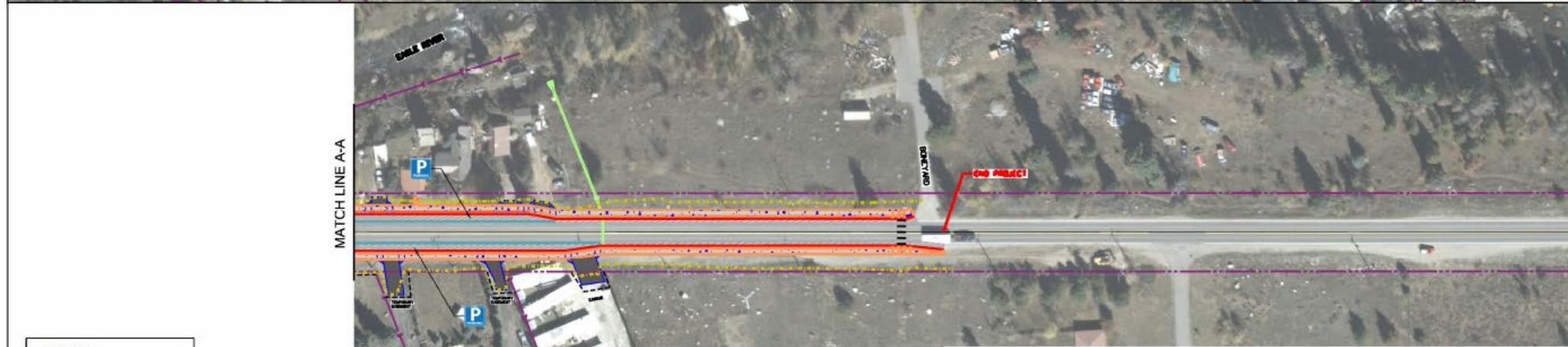
SEGMENT 2
PROVIDE PEDESTRIAN
FACILITIES THROUGH
SOUTH MINTURN

APRIL 2021






Project Typical Section





LEGEND:

-  SIDEWALK
-  EDGE OF THE ROAD
-  SHOULDER

**MAIN STREET
PEDESTRIAN IMPROVEMENTS
MIDBLOCK TO BONEYARD**

APRIL 1, 2021





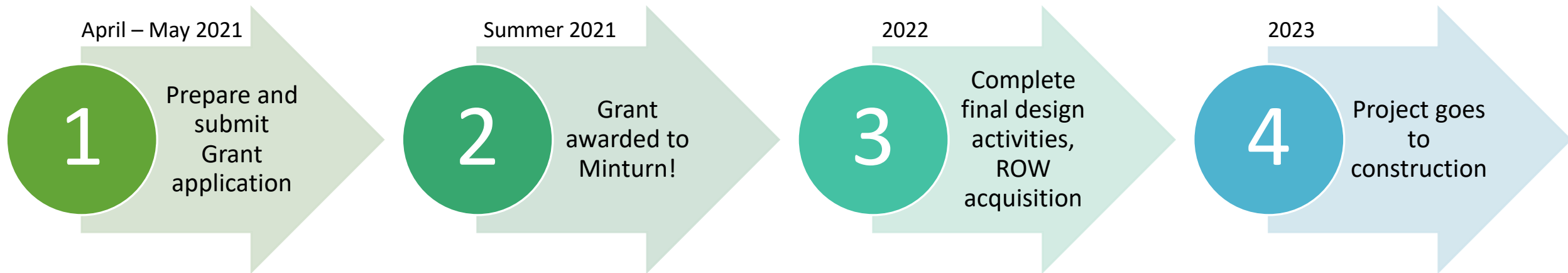


Why is this a good Grant candidate?

- Continues a project that has already been started
- Improves safety for pedestrian and cyclists and encourages multimodal travel
- Provides a complete ADA accessible route with improvements from previous projects
- Has support from public, surrounding local agencies, and CDOT
- Preliminary design and environmental clearance is already complete, increasing project readiness
- Project construction budget is within available grant funds with local match



Next Steps



Questions?



Thank You!

Contact information:

Michelle Metteer

Town Manager - Town of Minturn

manager@minturn.org

Jenna Siegel, PE

Stolfus and Associates, Inc.

jenna@stolfusandassociates.com





To: Mayor and Council
From: Richard Peterson-Cremer, Michelle Metteer
Date: April 7, 2021
Agenda Item: School District Land Dedication Policy

REQUEST: Approve first reading of a School District Land Dedication policy

INTRODUCTION:

Many local governments require dedication of land to the local school district or a fee in lieu in order to offset impacts of additional density on school facilities. The attached ordinance adds such a requirement to the Town’s subdivision code, Chapter 17, that the applicant for a subdivision either dedicate a certain amount of land to the school district or pay a fee in lieu thereof. The amount of land to be dedicated is determined by an equation in the ordinance based on the number of residential units being constructed on the subdivided lots. If the Town decides to collect a fee in lieu of land, that amount is determined by valuing the amount of land that would otherwise be dedicated based on an average land value set by the Town Council. That amount will be set at the next Council meeting by resolution.¹

ANALYSIS:

Minturn and Red Cliff are the only remaining Eagle County communities without a School District Land Dedication Policy.

The proposed Ordinance would apply to any residential subdivision (not individual single-family homes or ADU’s) – this is consistent with other Ordinances in the County.

The School District has confirmed that funds received can be allocated to “improvements within town” or “schools servicing Minturn residents.” Tom Braun representing the School District will be present during the discussion to identify how this process would work.

Jon Lengel, local appraiser and co-author of the Town of Eagle Land Dedication Policy will also be present to assist with questions.

The Town of Minturn is exempted from this policy.

COMMUNITY INPUT: Minimal

BUDGET / STAFF IMPACT: Minimal

STRATEGIC PLAN ALIGNMENT:

Sustain and invest in the things that define Minturn as a proud, sturdy mountain town to “keep Minturn Minturn”

Advance decisions/projects/initiatives that expand future opportunity and viability for Minturn

¹ Richard Peterson-Cremer, Agenda Cover Sheet, School Land Dedication or Fee in Lie, Feb 26, 2021

RECOMMENDED ACTION OR PROPOSED MOTION: Approve Ordinance 02 – Series 2021.

ATTACHMENTS: Ordinance 02 – Series 2021

**TOWN OF MINTURN, COLORADO
ORDINANCE NO. 02 – SERIES 2021**

**AN ORDINANCE OF THE TOWN OF MINTURN,
COLORADO PROVIDING FOR THE DEDICATION OF LAND
OR CASH IN LIEU OF LAND TO THE SCHOOL
DISTRICT FOR THE PURPOSES OF OFFSETTING
IMPACTS OF INCREASED DENSITY ON THE SCHOOLS.**

WHEREAS, the Town of Minturn (“Town”) is a Colorado home rule municipality organized pursuant to Article XX of the Colorado Constitution and with the authority of the Town of Minturn Home Rule Charter for which the Minturn Town Council (“Town Council”) is authorized to act; and

WHEREAS, a School Land Dedication requirement or fee in lieu thereof will ensure that subdivisions resulting in increased density offset impacts to the Eagle County School District; and

WHEREAS, the Minturn Town Council finds and believes that it is necessary and proper to amend the Minturn Municipal Code to provide for a School Land Dedication requirement or fee in lieu thereof for all subdivisions.

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

SECTION 1. The foregoing recitals are incorporated herein as if set forth in full.

SECTION 2. A new Section 17-7-30 of the Minturn Municipal Code is hereby adopted to read as follows. Sections of Chapter 17 which are not expressly described in this Ordinance are deemed to continue to be in full effect without change.

Sec. 17-7-30. - School Land Dedication.

(a) Every approved residential subdivision, or subdivision for partial residential use, shall include a dedication of land to the Town, as determined by the Town Council, for use by the Eagle County School District RE50-J (“school district”), roughly proportional to school needs generated by the proposed residential uses. In the alternative, the Town Council may require the payment of cash in lieu of such dedication as further described below. The dedication of such land, or payment of cash in lieu thereof, shall be made at the time of approval of the final subdivision plat. Every subdivision which increases the number of dwelling units above that approved as of the effective date of the ordinance from which this section is derived shall make the additional dedication or fee payment based upon the increase number of units, as provided herein, at the time of approval of the final plat, or issuance of a major development permit, whichever may first occur.

(b) Condition of land.

1. Dedicated land shall be suitable for use by the school district, and shall not contain steep slopes, rock formations, adverse topography, utility easements, restrictive covenants, pollution, or other features which may make the site unsuitable for use.

2. A minimum of 80 percent of the land dedicated shall have a slope of ten percent or less and shall lend itself to utilization for school district purposes.

3. Adequate water rights dedication must be provided for all school land dedicated.

4. Title to the school land dedicated or conveyed shall be good and its transfer rightful, and such land shall be free and clear of all liens and encumbrances whatsoever, except for current general property taxes and patent reservations.

(c) Amount. The owner of the land proposed for a subdivision for residential uses, or partial residential uses, shall dedicate land in an amount roughly proportional to the school needs generated by the proposed residential uses and the future inhabitants thereof. It shall be a rebuttable presumption that the application of the formulas set forth below provides for a land dedication that is roughly proportional to such school needs:

1. Single-family and duplex units: Number of units x .014495 = dedication requirement in acres.

2. Multifamily units; Number of units x .002676 = dedication requirement in acres.

3. The Town may consider a request by the land owner for a smaller dedication of school land when deemed appropriate because of size, location, or nature of the proposed development. Similarly, the Town may require a larger dedication of school lands when deemed necessary because of the size, location, density or nature of the proposed development.

(d) *Maintenance and use of dedicated land.*

1. When land is dedicated for the purpose of providing a site for a school, related recreational facilities, administration facilities, or other school district needs, the land shall be conveyed by the Town to the school district by general warranty deed, free and clear of any liens or encumbrances.

2. All lands conveyed by the Town to the school district pursuant to this section shall be maintained by the school district, and the school district may sell such land to a third party. All proceeds from such sale shall be held by the school district and shall be used for the acquisition of other school land or for the construction or expansion of school facilities.

(e) *Payment in lieu of dedication.*

1. When the dedication of sites and land areas for school needs are not reasonably necessary to serve the proposed subdivision and future residents thereof because of the size, location, proximity to existing facilities, topography or nature of the proposed development, the Town Council, upon recommendations from the school district and other affected entities, shall require, in lieu of such dedication of land, the payment in cash by the applicant of an amount not to exceed the full market value of such sites and land areas within the town of Minturn.

2. The full market value shall mean the current market value of unimproved residential land within the town of Minturn after completion of platting (approval of the Final Plat?). Such value shall be set annually by resolution of the Town Council (established value) on a per acre basis after considering recommendations from the school district and other appropriate parties. The same value per acre shall be used throughout the Town.

3. If the applicant does not agree with the established value per acre, the applicant may submit the narrative appraisal report of a qualified appraiser who holds the MAI designation, which establishes the market value of the land area being platted. Said market value shall be no later than six (6) months prior to the date of application for Final Plat. The Town Council shall review the report and determine if such appraised value is reasonable. Based upon its review of the applicant's appraisal, and all other relevant information available to it, the Town Council shall then determine the value of such land for purpose of payment of cash in lieu of dedication.

4. When cash in lieu of a school land dedication is required, such funds shall be transferred to the school district within 60 days following payment to the Town for the acquisition of reasonably necessary sites for the construction of school facilities, or for the construction of employee housing required by the school district, or for the purchase of employee housing required by the school district, or for the development or capital improvements to school sites within the Town. If housing units are purchased, a deed restriction restricting their use to school district employee housing shall be required and ownership shall remain in the name of the school district.

5. All funds collected pursuant to this section shall be accounted for in the manner required by C.R.S. § 29-1-801 et seq., and other applicable law.

(f) *Limitations on use of dedicated school lands or cash paid in lieu thereof.*

1. Except as otherwise provided in this section, any dedicated school lands which are not utilized for the construction or expansion of school facilities within ten years from the date of dedication shall be refunded by the school district to the land owner making the dedication. Any fees paid in lieu of such land dedication which are not utilized for the acquisition, construction, or expansion of school facilities within ten years of the date of collection shall be refunded by the school district, with applicable interest, to the land owner from which the fees were collected. Any proceeds from the sale of the school lands pursuant to Subsection (d) of this section which are not utilized for the acquisition, construction, or expansion of school facilities within ten years from the date of dedication of the land sold shall be refunded by the school district, with applicable interest, to the land owner making such dedication. The school district shall give written notice by first class mail to the last address on file with the Town to the land owner entitled to such conveyance or refund. If such land owner does not file a written claim for such property or refund with the school district within 90 days of the mailing of such notice, such right to reconveyance or refund shall be deemed forfeited and such land or funds shall revert to the school district for any lawful purposes.

2. The school district may, for good cause shown, request the Town to extend the ten-year period of time specified in Subsection (f)(1) of this section. Such request shall be made

at a public hearing held by the Town Council. The Council, in its discretion, for good cause shown, may extend such period of time for an additional period as the Town Council deems reasonable and necessary.

3. The Town is specifically exempted from the requirements of this section

INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THE 7TH DAY OF APRIL, 2021. 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 21ST DAY OF APRIL, 2021 AT 5:30p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO

John Widerman IV, Mayor

ATTEST:

By: _____
Jay Brunvand, Town Clerk

THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THIS 21ST DAY OF APRIL, 2021.

TOWN OF MINTURN, COLORADO

John Widerman IV, Mayor

ATTEST:

By: _____
Jay Brunvand, Town Clerk



To: Mayor and Council
From: Michelle Metteer
Date: April 7, 2021
Agenda Item: Resolution 11 – Series 2021, Updated 2020 Climate Action Plan

REQUEST: Approve Resolution 11 Series 2021

INTRODUCTION:

In the [2020 Minturn Community Plan](#) (page 14) survey respondents identified environmental sustainability as a 4.1 out of a possible score of 5 for level of importance. This ranking was in the top 30% of all items ranked. This ranking is consistent with the 2019 Community survey as well. With this community priority in mind, the Climate Action Collaborative’s project manager Kim Schlaepfer, Walking Mountain Science Center will present the updated 2020 Climate Action Plan and seek Minturn’s support of the updated plan through Resolution.

ANALYSIS:

The updated 2020 Climate Action Plan is calling for the following¹:

- Immediate emergency-grade action on climate
- Prioritization of strategies within this plan update to immediately reduce carbon emissions
- Timely achievement of carbon pollution reduction goals
- Commitment to a healthier and more resilient future for our Eagle County community

The priority actions identified in this update were selected through collaborative stakeholder input in 2020. The actions were derived from GHG modeling conducted by the CAC in 2020 and the original Climate Action Plan for the Eagle County Community. The emissions reduction goal in this update was established in 2020 to align with the State of Colorado GHG emission reduction goal and the Intergovernmental Panel on Climate Change global GHG reduction target.²

COMMUNITY INPUT: Significant

BUDGET / STAFF IMPACT: Undetermined

STRATEGIC PLAN ALIGNMENT:

Sustain and invest in the things that define Minturn as a proud, sturdy mountain town to “keep Minturn Minturn”
Advance decisions/projects/initiatives that expand future opportunity and viability for Minturn

LONG-TERM STEWARDSHIP OF THE NATURAL BEAUTY AND HEALTH OF MINTURN’S ENVIRONMENT

RECOMMENDED ACTION OR PROPOSED MOTION: Approve Ordinance 02 – Series 2021.

ATTACHMENTS: Resolution 11 – Series 2021, Updated 2020 Climate Action Plan

¹ Climate Action Plan: 2020 Update, pg 2

² Climate Action Plan: 2020 Update, pg 2

**TOWN OF MINTURN
RESOLUTION NO. 11 – SERIES 2021**

**A RESOLUTION TO ADOPT
THE UPDATED 2020 CLIMATE
ACTION PLAN
FOR THE EAGLE COUNTY COMMUNITY**

WHEREAS, during the year 2020-21, a group of stakeholders representing local governments, businesses, schools, and nonprofits from throughout Eagle County, has collaboratively worked together to update the community-wide climate action plan to help guide greenhouse gas emission reductions into the future;

WHEREAS, the updated Climate Action Plan for the Eagle County Community recommends greenhouse gas reduction targets and actions that can be integrated with the Town of Minturn’s other plans, including the strategic plan, the community development plan, the economic development plan, the comprehensive open lands plans, housing plan and where each of these plans may include opportunities to reduce greenhouse gas emissions; and

WHEREAS, the Town of Minturn recognizes that scientific evidence for warming of the earth’s climate system from human activities is unequivocal. Combustion of fossil fuels such as coal, petroleum and natural gas is increasing the concentration greenhouse gases in the atmosphere, pushing average global temperatures higher and changing our mountain ecosystems—making winters warmer and shorter, summers longer and hotter, and increasing the risks of wildfires, droughts and floods; and

WHEREAS, the county-wide 2014 Eagle County Energy Inventory identifies energy sources, uses, and emissions by sector. According to the Inventory, greenhouse gas emissions in the baseline year 2014 totaled 1.4 million metric tons of carbon dioxide equivalent (CO₂e), with 60% of the emissions from commercial uses and residential buildings, 27% from vehicles, 10% from landfill, and 3% from the airport. Community-wide energy costs for the year 2014 were totaled at \$243 million; and

WHEREAS, adopting the updated Climate Action Plan for the Eagle County Community will help the Town of Minturn ensure a sustainable future by protecting the natural environment and recreational economy, reducing long-term financial expenses, creating more affordable solutions for residents and businesses, and supporting a new post carbon energy economy with less climate pollution and more clean renewable energy; and

WHEREAS, the updated 2020 Climate Action Plan for the Eagle County Community (attached) includes: recommended greenhouse gas emission reduction targets of 25% by 2025 and 50% by 2030, and recommended climate action goals and strategies by sector, and key recommendations for community leaders and decision makers to take proactive steps to reduce climate pollution and help create positive solutions for future generations.

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

1. THAT, the Minturn Town Council adopts the updated 2020 Climate Action Plan for the Eagle County Community, and endeavors to meet the recommended greenhouse gas emission reduction targets through ongoing initiatives, and through continuing support and participation in community actions to reduce greenhouse gas emissions.

2. THAT, the Minturn Town Council hereby finds, determines and declares that this Resolution is necessary for the public health, safety and welfare of the residents/constituents of the Town of Minturn.

INTRODUCED, READ, APPROVED, ADOPTED AND RESOLVED this 7th day of April, 2021.

TOWN OF MINTURN

By: _____
John Widerman, Mayor

ATTEST:

Jay Brunvand, Town Clerk



CLIMATE ACTION COLLABORATIVE

CLIMATE ACTION PLAN

UPDATE 2020

Executive Summary

50% REDUCTION OF EMISSIONS BY 2030

PRIORITY ACTIONS TO ACHIEVE 2030 GOAL

ENERGY SUPPLY

- 100% renewable energy supply for the electric sector by 2030.
- Analyze/develop renewable energy resources through waste-to-energy, methane capture, and digestion.
- Heat waste use and/or renewable energy technology to power district scale snowmelt systems.
- Reduce methane leakage through natural gas system efficiency.

BUILDINGS

- Beneficial electrification of existing buildings 5% per year.
- Adopt net zero or all-electric construction code for new buildings.
- Benchmark commercial buildings $\geq 10,000$ square feet.

WASTE

- 80% organics diverted by 2030. Focus on diversion of all yard waste and cardboard from landfill.
- Divert 100% of all recoverable construction and demolition waste from the landfill by 2030.

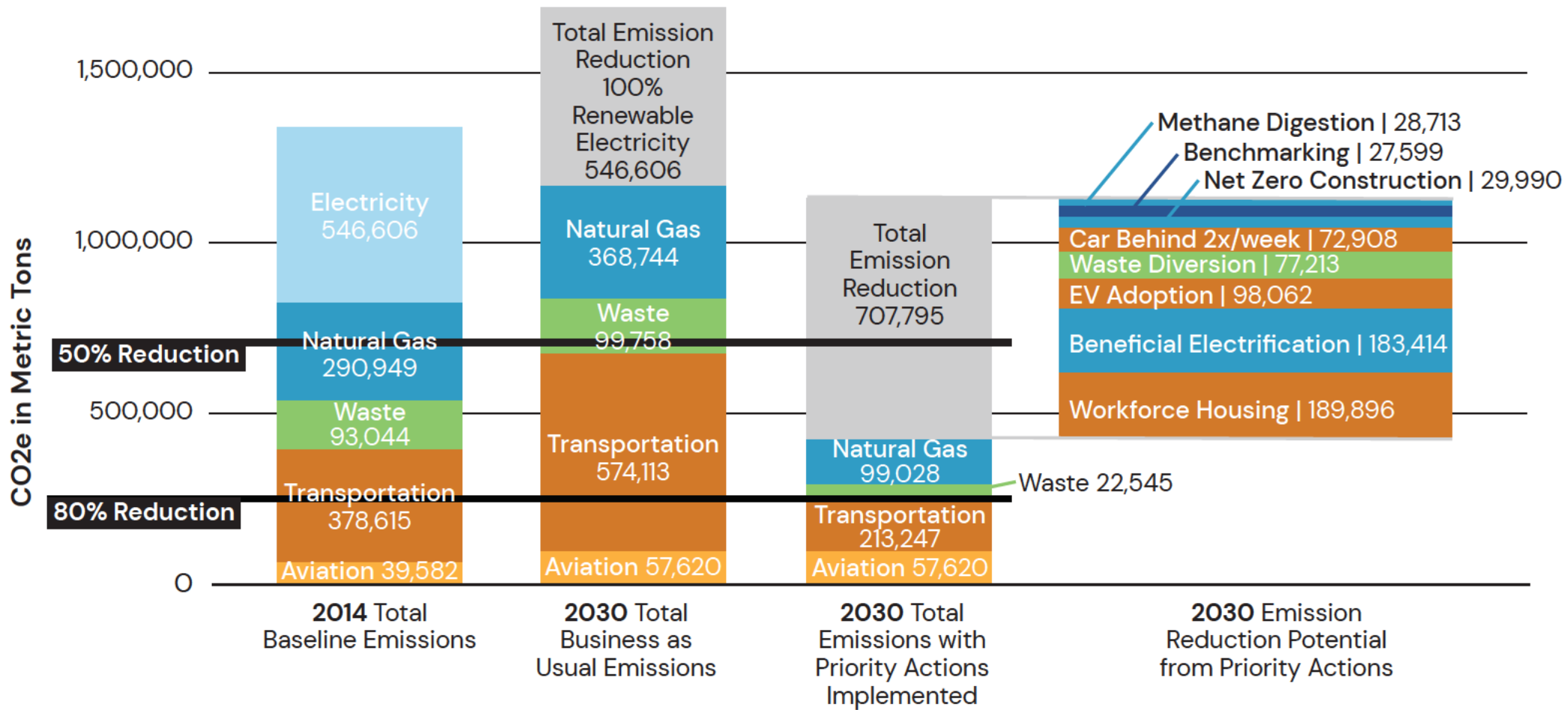
TRANSPORTATION

- 2% increase each year of EVs registered in Eagle County.
- Encourage/promote Eagle County commuters to leave car behind 2x per week.
- Move 50% of workforce to live within 5 miles of employment center.



Carbon Emission Reduction Potential from Priority Actions

All numbers reported in Metric tons of CO₂e



ANNUAL SUCCESS BENCHMARKS

Transportation

1,100 new EVs on the road.

2x per week, Eagle County residents leave their cars behind on work commute.

Buildings

10 commercial buildings electrified.

1,641 residential homes electrified.

10% increase of new building SF to be all-electric or net zero.

≥10,000 SF commercial buildings benchmarked.

Waste

8% increase in organic waste diverted through recycling and compost.

10% increase in diversion of recoverable construction waste.



CLIMATE ACTION COLLABORATIVE

CLIMATE ACTION PLAN

UPDATE 2020

Climate Action Plan: 2020 Update

Eagle County is home to world-class outdoor recreation opportunities, stunning and spacious ranches, and tight-knit communities, all among some of the most beautiful landscapes in Colorado. As climate change continues to threaten our livelihoods, **Eagle County** cannot sit dormant. We must take a strong stance on climate action and deliver on the goals set in the Eagle County Climate Action Plan.

The purpose of this Climate Action Plan Update is to explain the latest research in climate science, underscore the level of urgency needed for solution implementation, and highlight the role *Climate Action Collaborative (CAC) stakeholders* and the *Eagle County community*—governments, businesses, utilities, and citizens—must play in the solution.

We are calling for:

- Immediate emergency-grade action on climate
- Prioritization of strategies within this plan update to immediately reduce carbon emissions
- Timely achievement of carbon pollution reduction goals
- Commitment to a healthier and more resilient future for our Eagle County community

The Climate Action Collaborative (CAC) for the Eagle County Community exemplifies the power of community-led action. Systematically addressing global climate change is a formidable challenge that is best done with maximum stakeholder engagement. With our Collaborative partners, we have established a framework to strategize and deliver on greenhouse gas (GHG) emission reductions within the Buildings, Materials Management, Energy Supply, and Transportation sectors, as well as mechanisms to enhance efforts for education and outreach, water conservation, and carbon sequestration.

The priority actions identified in this update were selected through collaborative stakeholder input in 2020. The actions were derived from GHG modeling conducted by the CAC in 2020 and the original Climate Action Plan for the Eagle County Community. The emissions reduction goal in this update was established in 2020 to align with the State of Colorado GHG emission reduction goal and the Intergovernmental Panel on Climate Change global GHG reduction target.

#BEBETTERTOGETHER

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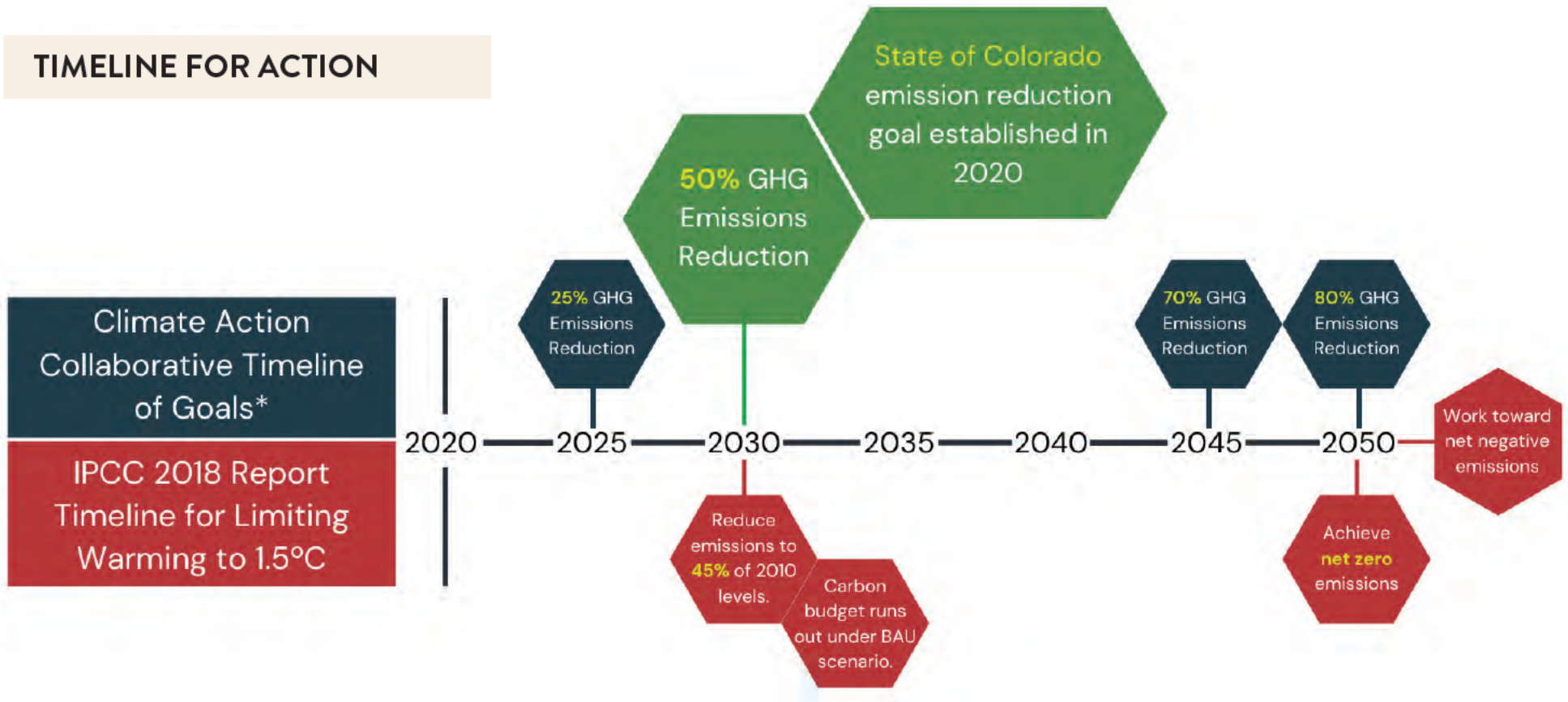
Timeline for Action 2	Transportation & Mobility 6	Carbon Sequestration 9	Methane Digester 12
Carbon Reduction Graph 3	Energy Supply 7	Education & Outreach 10	Resilience 13-14
Buildings 4-5	Materials Management 8	Beneficial Electrification 11	Appendix 15-17

1.5°C IS THE TIPPING POINT

The global surface temperature has already warmed 1.0°C. While further warming is inevitable, we still have the power to reduce the magnitude of its impacts. 2018 brought a new report from the Intergovernmental Panel on Climate Change (IPCC) on the benefits of limiting warming to **1.5°C**. Remaining beneath 1.5°C will require a significant reduction in fossil fuel use, but will avoid the widespread and permanent catastrophe that will come with an overshoot of the 1.5°C mark.

To do this, the IPCC states we must achieve a minimum 45% emissions reduction from 2010 levels by 2030; and if nothing changes, we are on track to **burn through our carbon budget in 8-10 years**.

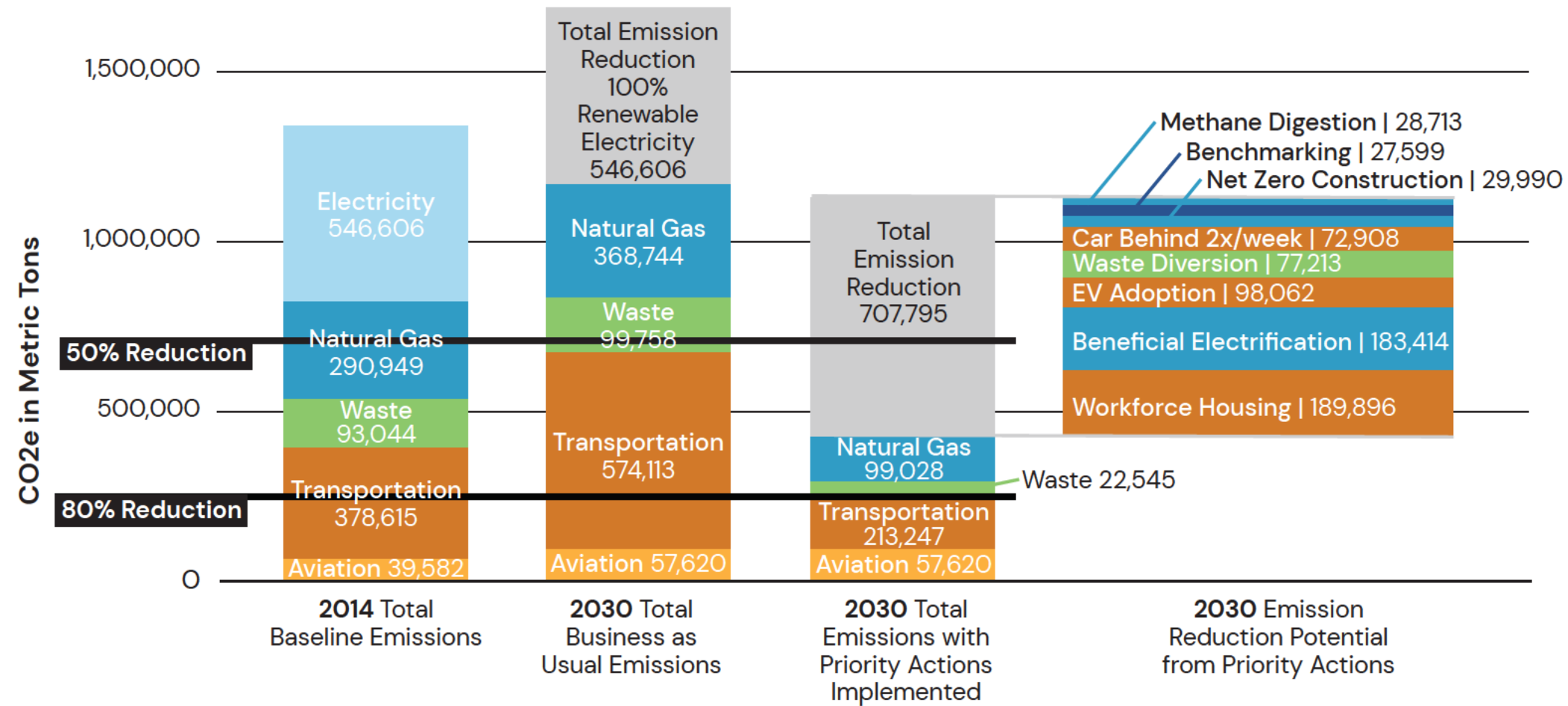
TIMELINE FOR ACTION



*From 2014 Baseline (see 2014 Eagle County Energy Inventory). BAU = Business as usual. GHG = Greenhouse Gas

Carbon Emission Reduction Potential from Priority Actions

All numbers reported in Metric tons of CO₂e



ANNUAL SUCCESS BENCHMARKS

Transportation

- 1,100** new EVs on the road.
- 2x per week**, Eagle County residents leave their cars behind on work commute.

Buildings

- 10** commercial buildings electrified.
- 1,641** residential homes electrified.
- 10%** increase of new building SF to be all-electric or net zero.
- ≥10,000** SF commercial buildings benchmarked.

Waste

- 8%** increase in organic waste diverted through recycling and compost.
- 10%** increase in diversion of recoverable construction waste.



BUILDINGS

IMMEDIATE PRIORITY ACTIONS

- ★ Beneficial Electrification for 5% of existing residential and commercial buildings each year.
- ★ For new and remodeled residential and commercial buildings, adopt 'above building code' standards and incentives, and implement net-zero or all-electric construction requirements by 2030. Work toward consistency across jurisdictional boundaries in Eagle County.
- ★ Implement a benchmarking ordinance in Eagle County for all commercial buildings 10,000 square feet or larger.

ADDITIONAL STRATEGIES

- Expand Walking Mountains Energy Programs' home energy assessment program to audit 50% of Eagle County homes by 2030.
- Expand local Exterior Energy Offset Programs to include commercial buildings and homes over 3,700 square feet. Work towards consistency across jurisdictional boundaries in Eagle County.
- Hold an annual meeting of building officials and planning and design review boards to exchange ideas and best practices for building code enforcement.
- Continue partnerships with local energy utilities and Walking Mountains Energy Programs to leverage economic incentives that promote residential and commercial energy efficiency.
- Provide support and incentives for rental units to be updated with energy efficiency improvements.
- Consider a HERS Rating requirement for new residential construction.



ACTIONS FOR BUILDINGS



STEP 1: ENERGY EFFICIENCY

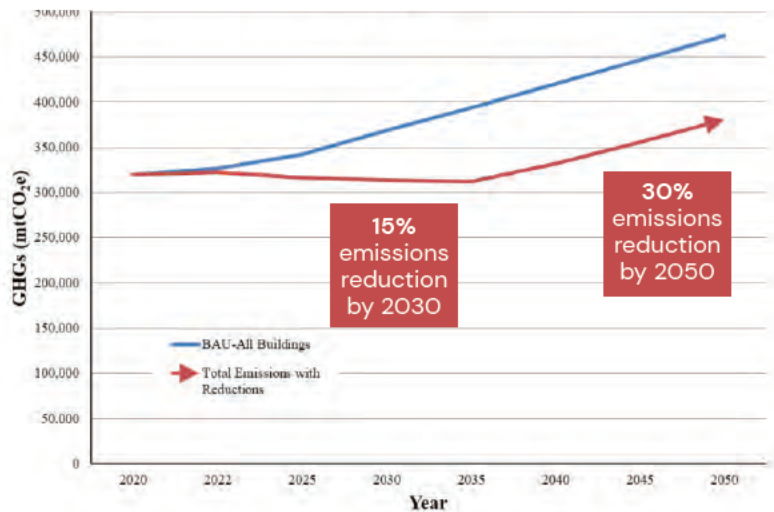
The Colorado Energy Office lists "Expand Energy Efficiency" as the number one priority out of the five most impactful actions for local government policy in mitigating GHG pollution.

Priority actions include:

- Benchmarking commercial buildings

"Energy efficiency in residential and commercial buildings is a no-regrets action in the near term" –State of Colorado 2020 GHG Pollution Reduction Roadmap

Commercial Building Benchmarking



Assumptions: [Red Line] Emission reduction potential from benchmarking commercial buildings. The 50 largest commercial buildings will be benchmarked by 2022, and the remaining commercial buildings above 10,000 square feet by 2023. The scenario assumes a 3%/year gain in energy efficiency per building benchmarked, maxing out at 35% efficiency.

STEP 2: FUEL SWITCHING

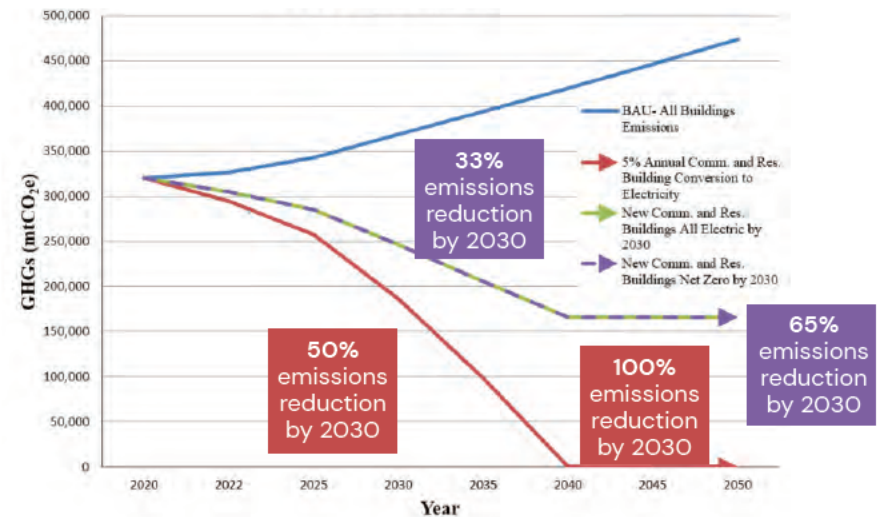
After maximizing energy efficiency in existing buildings, the next step to reducing GHG emissions from the buildings sector is replacing inefficient fuels with cleaner alternatives.

Priority actions include:

- Electrifying buildings
- Net zero or all-electric building codes for new construction

Because of long-lasting infrastructure, *"immediate steps are hence important to avoid lock-in of inefficient carbon and energy-intensive buildings."* –IPCC, 2018

Beneficial Electrification and All-Electric New Construction



Assumptions: [Red Line] Conversion of 5% of existing commercial and residential properties to electricity each year beginning in 2021. [Green/Purple Line] Data includes no new natural gas in residential and commercial buildings after 2030, and beginning in 2021 10% of all new construction is net-zero or all-electric.



TRANSPORTATION & MOBILITY



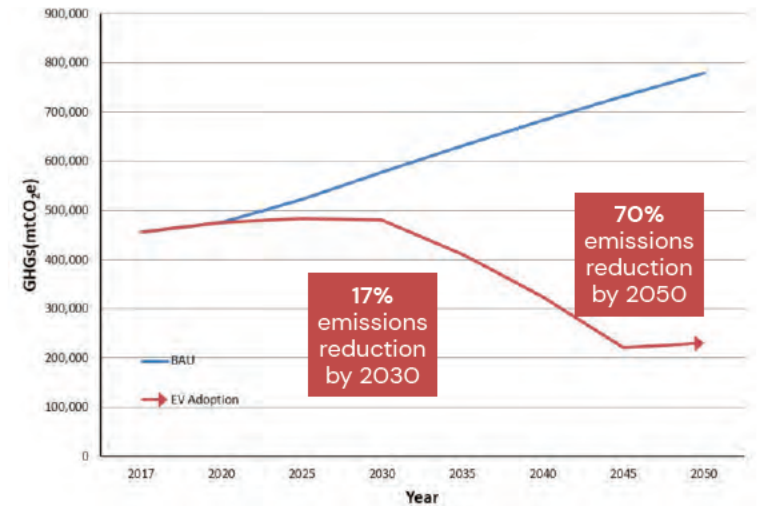
IMMEDIATE PRIORITY ACTIONS

- ★ 2% increase in electric vehicle penetration each year as a percentage of all registered vehicles in Eagle County.
- ★ Implement a behavior change campaign to reduce single-occupancy vehicle commute trips 2 days per week by encouraging local businesses to provide smart commuting incentives or establish policies to support multi-modal commuting, flexible work arrangements, and remote work.
- ★ Strive for 50% of the workforce living within 5 miles of their employment center via mixed-use communities, affordable community housing near job centers, and intercommunity multi-modal transportation options.

ADDITIONAL STRATEGIES

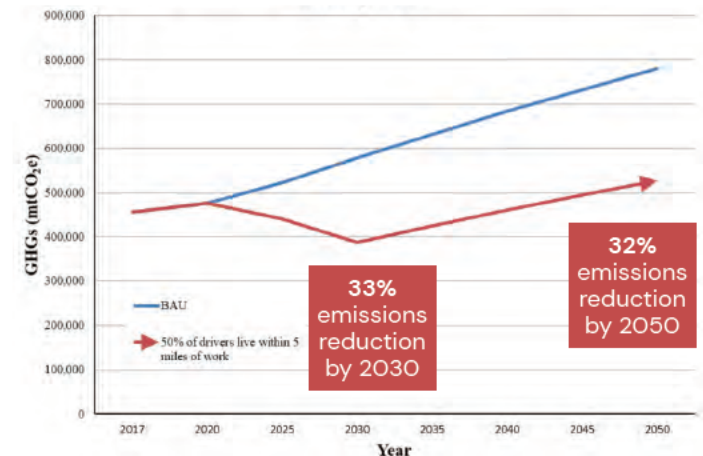
- Create a community-wide interconnected mobility system to support multi-modal transportation including park-n-rides and pedestrian and bike infrastructure to support transit ridership, complete and connected bike commuting paths and lanes, and safe and accessible sidewalks.
- Expand bus service across the county, specifically targeted at commuters.
- Pilot bike or electric bike sharing programs and determine the viability of County-wide program.
- Continue to pursue rail transit opportunities to utilize existing railroad tracks from Dotsero to Leadville.

2% EV Adoption until 2030, 5% EV Adoption until 2050



Assumptions: [Red Line] 2% increase in registered EVs in Eagle County, excluding diesel-powered cars and medium/large trucks and buses. Includes emissions from EV charging.

50% of the Working Population Lives Within 5 Miles of Work by 2030



Assumptions: [Red Line] 17.5% of people already live within 5 miles of work (2019 Census, reference Appendix A). This scenario assumes a 10% annual increase in people living within the 5 mile proximity. It excludes single-unit trucks, combination trucks, and buses in commuting mileage reduction calculations.

ENERGY SUPPLY



IMMEDIATE PRIORITY ACTIONS

- ★ Support goal of 100% renewable energy supply for the electric sector by 2030.
- ★ Analyze and develop local renewable energy resources through waste-to-energy, methane capture, and anaerobic digestion.
- ★ Consider heat waste utilization and renewable energy technology to power district scale snowmelt systems.
- ★ Reduce methane leakage through natural gas system efficiency.

ADDITIONAL STRATEGIES

- Encourage resident and business participation in various utility rate programs that encourage energy conservation during peak times.
- Explore the use of microgrids in Eagle County, where solar can be paired with storage to provide resiliency benefits for local emergency response infrastructure.
- Incentivize or promote renewable electricity use through on-site solar or renewable energy offset programs offered through local utilities, particularly when renewable electricity is paired with all-electric building systems.

PREPARING FOR A RESILIENT ENERGY FUTURE

Limiting global warming to 1.5°C requires 70–85% of the world's energy to be supplied by renewables (IPCC, 2018). Here in Colorado, we are endowed with enough wind and solar resources to "produce hundreds of times as much electricity as the state consumes each year" (energyoffice.colorado.gov).

Eagle County can build resilience by capitalizing on Colorado's resource abundance with on-site renewable energy generation.



Co-Benefits of Local Renewable Energy Generation

- Resilient energy supply via distributed energy systems and energy storage that allows for reliable power during emergencies.
- Improved health and safety (better air quality and reduction of gas leaks) by avoiding fossil fuel-based electricity generation.
- Support for ecosystem services by combining low-impact solar development with native vegetation growth.
- Economic growth provided by both direct and indirect job creation, support of local businesses, and energy cost savings.



MATERIALS MANAGEMENT



IMMEDIATE PRIORITY ACTIONS

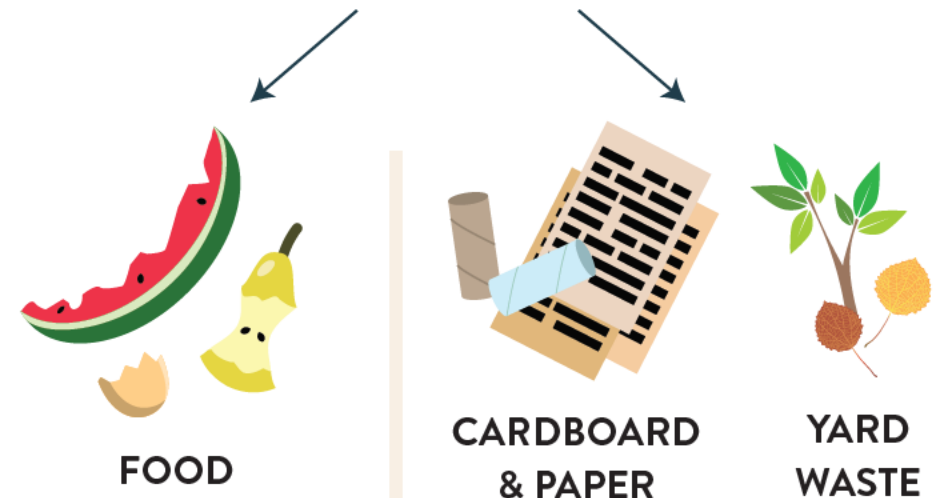
- ★ Divert 80% of organics currently landfilled by 2030.
- ★ Divert 100% of all recoverable construction and demolition (C&D) waste from the landfill by 2030 (some organic material may exist in this waste stream).
- ★ Divert yard waste from landfill by 2030 through implementation of county-wide collection sites.
- ★ Divert cardboard from the landfill.

ADDITIONAL STRATEGIES

- Establish recycling and composting programs in all schools in Eagle County.
- Transition Eagle County Materials Recovery Facility to single-stream.
- Support sustainable purchasing policies and practices and incorporate supply chain management systems for businesses and local governments.
- Implement a pay as you throw model county-wide.
- Support and incentivize recycling and composting services for multi-family buildings which often face challenges, such as high resident turnovers and contamination of recycling containers.

ORGANIC WASTE DIVERSION

Organic Waste: Waste that comes from plant- or animal-based materials. 59% of all waste generated in the Eagle County Municipal Solid Waste stream is organic waste.



DIVERSION OPTIONS

- | | |
|------------------------|-------------------|
| Reduce initial amounts | Reuse |
| Recover surplus | Recycle |
| Animal feed | Compost |
| Compost | Methane Digestion |
| Methane Digestion | |

CARBON SEQUESTRATION

IMMEDIATE PRIORITY ACTIONS

- ★ Pilot projects on open space that use soil amendments to increase carbon sequestration.
- ★ Incorporate soil-health education to improve carbon sequestration and engage the community in stewardship.
- ★ Promote regenerative agriculture to enhance soil-health and carbon sequestration.
- ★ Determine natural climate solutions plan to protect and enhance existing carbon stocks in Eagle County.
- ★ Implement a Good Traveler carbon offset program for Eagle County Airport.

STATE OF COLORADO NEAR-TERM ACTIONS

- Develop a comprehensive natural and working lands emissions inventory.
- Protect and enhance carbon sequestration on natural and working lands.
- Expand the Advancing Colorado's Renewable Energy and Energy Efficiency (ACRE3) program.
- Increase Colorado producers' participation in national programs such as Field to Market, Soil Health Partnership, and the Ecosystems Market Consortium.

THREE COMPONENTS OF CARBON SEQUESTRATION

1

HEALTHY NATIVE ECO-SYSTEMS

Trees and grasslands are Eagle County's largest carbon capture resources. Thriving native vegetation is crucial to adequate carbon sequestration.

2

HEALTHY SOILS

Soil is a valuable carbon sink. Thoughtful use of open space, agricultural practices, and organic material can help keep carbon in the ground and our soils fertile.

3

CARBON OFFSETS

Eagle County can purchase carbon offsets to support regional and statewide carbon reduction and sequestration projects.





EDUCATION & OUTREACH

IMMEDIATE PRIORITY ACTIONS

- ★ Implement a behavior change campaign to reduce single-occupancy vehicle commute trips 2 days per week by encouraging local businesses to provide smart commuting incentives or establish policies to support multi-modal commuting, flexible work arrangements, and remote work.
- ★ Grow capacity of Collaborative partners to submit public comment in support of local policy that will help achieve our Climate Action Plan goals.
- ★ Support working groups in education and outreach efforts that are identified as critical to achievement of sector specific GHG reduction goals.

ADDITIONAL STRATEGIES

- Maintain climate messaging in the community through regular media presence, newsletters, and the CAC website.
- Promote and expand the Actively Green Business Certification program through participation in either the full certification program or the Green Business Trail Map.
- Establish a system of communication and outreach through Collaborative partners to push out county-wide climate messaging in an effective and consistent manner.

"Climate actions are more strongly related to motivational factors than to knowledge, reflecting individuals' reasons for actions, such as values, ideology and world-views. People consider various types of costs and benefits of actions and focus on consequences that have implications for the values they find most important." (IPCC 2018)



MULTI-SECTOR STRATEGY: BENEFICIAL ELECTRIFICATION

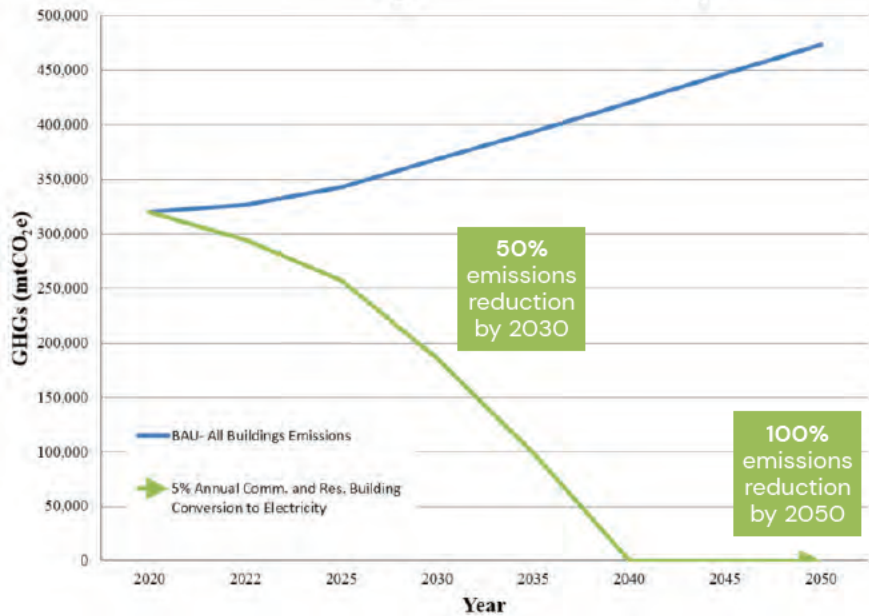
Beneficial electrification is a term that refers to the emissions and cost reductions that result from replacing fossil fuels with electricity. Electrification is beneficial if it reduces costs and emissions and helps improve electricity grid management. The term represents an effort to find a favorable balance between consumers, utilities, and the environment (NRDC 2018).

Buildings and vehicles are able to run off of electricity, but the majority continue to use fossil fuels for power. Electrification of buildings and vehicles is the quickest way to reduce carbon emissions as our electric grid rapidly transitions to 100% renewable electricity. Working together with the Energy Supply sector, beneficial electrification is a strategy that will enable fast decarbonization across two of the largest emitting sectors; buildings and transportation.



COMMERCIAL & RESIDENTIAL BUILDINGS

5% Annual Building Conversion to Electricity

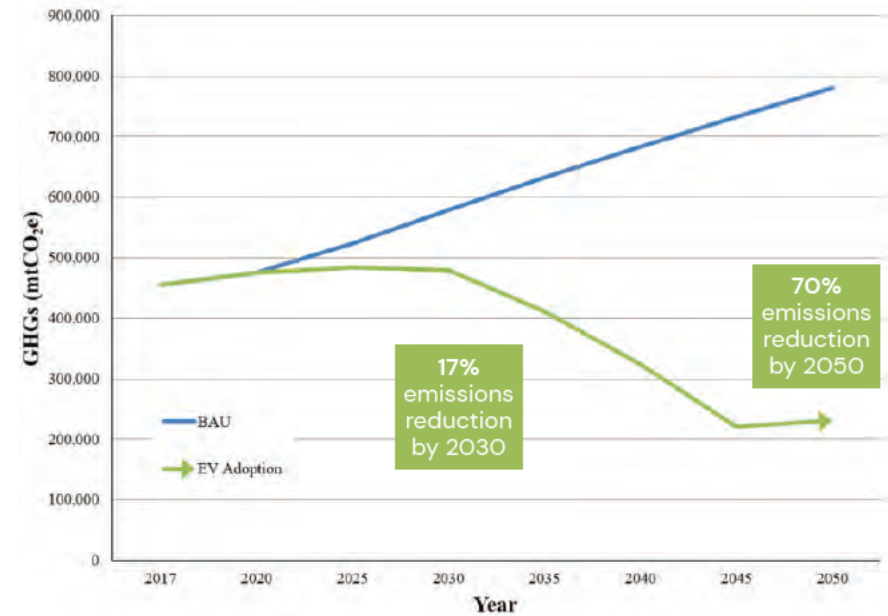


Assumptions: [Green Line] Conversion of 5% of existing commercial and residential properties to electricity each year beginning in 2021.



TRANSPORTATION

2% EV Adoption until 2030, 5% EV Adoption until 2050

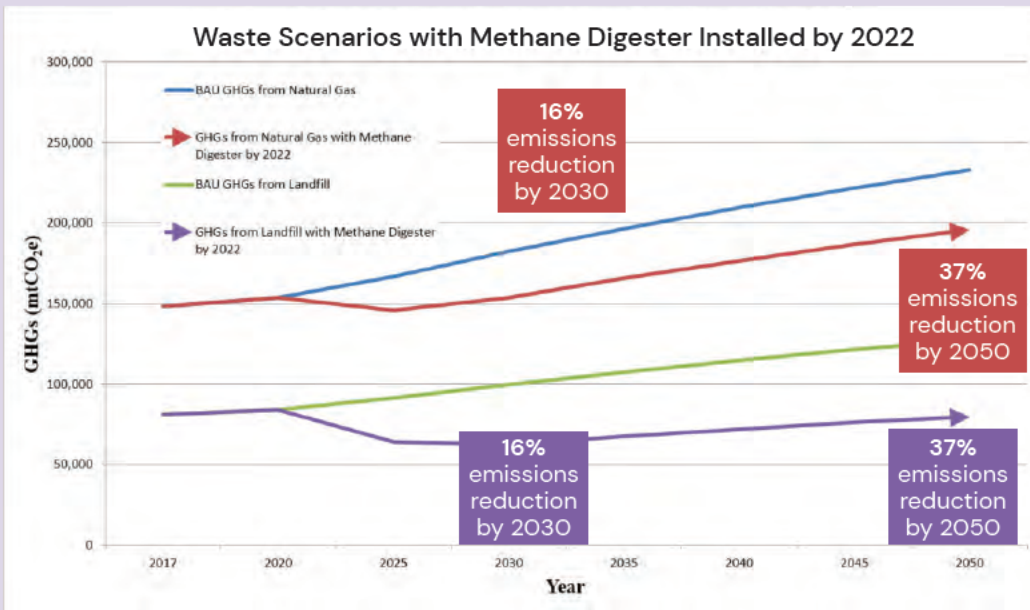


Assumptions: [Green Line] 2% increase in registered EVs on the road, excluding diesel-powered cars and medium/large trucks and buses. Includes emissions from EV charging. 87

MULTI-SECTOR STRATEGY: METHANE DIGESTER

Methane digesters are a means of generating renewable power through the production of renewable natural gas (RNG) from organic waste as it decomposes in an anaerobic state. The RNG produced can displace traditional natural gas use for space and water heating in buildings, particularly for those commercial buildings that are unable to electrify in a cost-effective way. Methane digesters lower methane emissions from the landfill as organic waste is diverted and it reduces the carbon emissions from buildings that use the RNG produced.

Methane Digesters represent a strategy that can reduce greenhouse gas emissions across the energy supply, buildings, and waste sectors.



Assumptions: [Blue Line] The top set of lines represent emissions levels of buildings using conventional natural gas and [Red Line] using biogas from a methane digester. [Green Line] Emissions levels of landfills and [Purple Line] emissions levels once organic waste is diverted from landfills to the anaerobic digester.

WHAT IS A METHANE DIGESTER?

Methane Digesters use microbes to break down organic matter in an oxygen-deprived environment. This process produces biogas and leftover material called digestate. Biogas is purified to create renewable natural gas, while the digestate is a solid mixture that is packed full of nutrients and can be repurposed as fertilizer. Digesters can use food, agriculture waste, manure, and wastewater treatment plant sludge as feedstock.



Resilience in the Face of a Changing Climate

Colorado's climate is changing as a result of global surface temperature increases. The health of our residents and visitors, our economic growth, critical infrastructure, and our natural resources are all already being affected by these changes and are projected to get more severe in the future. In 2020 alone, Colorado experienced three record-breaking fires and sustained a 'severe' drought status throughout the year. Climate risks for Eagle County continue to rise as the planet warms, therefore it's critical that our community achieve the greenhouse gas mitigation goals in this Plan, and begin to prepare for the climate risks posed to our community. The Eagle County Community Resilience Plan is the foundation and framework for making critical decisions that address the County's extensive range of climate change-related risks well into the future. Learn more about Eagle County's Resilience Plan

RE • SIL • IENCE

The capability to anticipate, prepare for, respond to, and recover from complex and significant multi-hazard threats with minimum damage to social well-being, the economy, and the environment.

Click the image below to learn more about Eagle County's resilience strategies.



WATER RESILIENCY

WILDFIRE RESILIENCY

RESILIENCE PLAN ACTIONS

- Adopt and enforce requirements that improve water quality and quantity.
- Encourage the adoption of innovative indoor and outdoor water efficiency programs and strategies.
- Plan, fund, and implement wildlife habitat restoration projects, especially in riparian zones.
- Support water planning efforts that consider potential population growth in regard to Eagle County's water resource carrying capacity.

COLORADO FOREST ACTION PLAN

- Improve resiliency of critical water structure.
- Sustain or restore fundamental ecological functions for watershed health.

RESILIENCE PLAN ACTIONS

- Build community equity, trust, and civic engagement.
- Ensure the health, safety, and well-being of all community residents, visitors, and workers during and after a disaster.
- Support frontline communities in preparing for and recovering from extreme weather events.

COLORADO FOREST ACTION PLAN

- Increase pace and scale of wildfire risk reduction efforts.
- Restore and maintain resilient landscapes and biodiverse ecosystems.
- Utilize fire as a forest management tool to reduce future risks (prescribed burns and managed fires).
- Improve the understanding of the role fire plays in Colorado's ecosystems, including the need for using prescribed and managed wildfire as tools.

PLANNING FOR THE FUTURE

- Conduct a Climate Impact Study with study sites in Vail, Avon, and Eagle to provide analysis of the future climate risks posed to these three regions in Eagle County.

Appendix A: Modeling for Priority Actions

The data below resulted from our 2020 greenhouse gas (GHG) modeling. The insights and GHG reduction potential gleaned from the modeling work were used by each sector team to select the priority actions in this 2020 update. Appendix A lists each of the modeled strategies that were finalized as priority actions for this report. Note a few of the priority actions have been updated by the sector teams from the assumptions that were modeled. The data below is meant to provide a high-level look at how all priority actions, taken together, will result in a 50% emission reduction from a 2014 baseline.

Priority Actions	Modeled GHG reduction by 2030 (metric tons CO2e)	Assumptions for Modeling	Reference Location for Modeling within
Buildings			
Beneficial Electrification of Existing Buildings (5% per year).	183,414	Conversion of 5% of existing building stock after growth rate applied annually. 5% conversion starts in 2021. All prior natural gas usage is transitioned to HCE system. 6,373 homes already all-electric in Eagle County. 32,823 total housing units, 217 total commercial buildings.	pg. 5
For new and newly remodeled buildings, adopt "above building code" standards and incentives, and implement net zero construction requirement for new buildings by 2030. Work toward consistency across jurisdictional boundaries in Eagle County.	29,990	10% more of new building stock is Net Zero/or all-electric annually starting in 2021. (10% in 2021, 20% in 2022, etc). Ban natural gas useage or mandate net-zero for new construction by 2030. All prior natural gas use is covered by HCE territory.	pg. 5
Implement a benchmarking ordinance in Eagle County for all commercial buildings 10,000 square feet or larger.	27,599	Benchmarking for 50 largest buildings in 2022. Benchmarking for the remaining commercial buildings by 2023. Assume a 3% year over year increase in efficiency. 35% is max energy efficiency of building. No growth rate applied to top 50 buildings, but growth rate is applied to all remaining buildings over 10k sf.	pg. 5
Transportation			
2% electric vehicle penetration each year as a percentage of all registered vehicles on the road.	98,062	2% increase in registered EVs on the road, excluding diesel-powered cars and medium/large trucks and buses. 5% adoption until 2050 Just for gasoline fueled vehicles (not diesel). Vehicle stock entirely electric and diesel by 2046.	pg. 6
Implement a behavior change campaign to reduce single-occupancy vehicle commute trips by encouraging local businesses to provide incentives or establish policies to support multi-modal commuting, flexible work arrangements, and remote work at least two times per week.	72,908*	*This strategy was not modeled. Calculations were performed to determine GHG reduction potential. Assumes every working person in Eagle County does not drive their commute two times per week. 40 mile average round trip commute for Eagle County residents equals an 80 miles reduction in VMT per working person in Eagle County each week.	NA
50% of the workforce living within 5 miles of their employment center.	189,896	17.5% of people are assumed to already live within 5 miles of work. This is based on 2019 US Census data for average commute time and mode of transportation: bike, walk, car, or working remotely. 10% more people move within 5 miles of work annually 2021-2030 until remaining 32.5% of people live within 5 miles of work by 2030.	pg. 6

Appendix A (cont.): Modeling for Priority Actions

Priority Actions	Modeled GHG reduction by 2030 (metric tons CO _{2e})	Assumptions for Modeling	Reference Location for Modeling within
Energy Supply			
Support goal of 100% renewable energy supply for the electric sector by 2030.	100% RE by 2030 is reflected in modeling results for EV adoption and Beneficial Electrification.	Baseline assumption in all modeling, specifically impactful for electric vehicle adoption and 5% conversion of buildings to all-electric each year.	pg. 11
Analyze and develop local renewable energy resources through waste-to-energy, methane capture, or digestion.	28,713*	One option for waste-to-energy systems was modeled. Methane Digester beginning in 2022. Digester can process 20% of organics in 2022, 40% in 2023, etc until all organics are digested in 2026. Assumes natural gas output will be used in commercial building applications. *Note the emission reduction potential included in this chart does not reflect the avoided landfill emissions realized from this strategy. This is to ensure no double-counting between the Materials Management organic diversion emission reduction.	pg. 12
Consider heat waste utilization and/or renewable energy technology to power district scale snowmelt systems.	Not Modeled	Displacement of all natural gas use for snowmelt in core commercial centers. This strategy was not modeled.	NA
Reduce methane leakage through natural Gas system efficiency.	Not Modeled	BHE 50% Decrease by 2035 through pipeline replacement and efficiency work. This strategy was not modeled.	NA
Materials Management			
Priority Action: 80% Organics Diverted by 2030. *Modeled Action: 100% Organics Diverted by 2030.	37,310*	10% conversion to compost annually starting 2021. Includes GHG reduction potential for diversion of yard waste and cardboard from landfill.*	NA
Priority Action: Divert 100% of all recoverable construction and demolition (C&D) waste from the landfill by 2030.* Modeled Action: 100% of Construction & Demolition waste diverted by 2022.**	39,903*	*Recoverable materials will be determined and regularly updated as needed by the Materials Management Task Force. **All recoverable construction & demolition (C&D) waste is diverted beginning in 2022. Assumes 40% of current landfill is C&D waste.	NA

TOTAL 2030 BUSINESS AS USUAL EMISSIONS: **1,100,235 MTCO_{2e}**

TOTAL GHG REDUCTION POTENTIAL FROM PRIORITIES IDENTIFIED ABOVE: **707,795 MTCO_{2e}**

PERCENT REDUCTION FROM 2030 BUSINESS-AS-USUAL: **64%**

Appendix B: Literature Cited

- Brandt, N. E., Brazeau, A. G., Browning, K. C., Meier, R. M.* 2017. Carbon Sequestration in Colorado's Lands: An Integrated Spatial & Policy Analysis. University of Colorado Boulder. <https://www.conservationgateway.org/ConservationByGeography/NorthAmerica/UnitedStates/Colorado/Pages/CarbonSequestrationinColoradosLandsAnIntegratedSpatialAndPolicyAnalysis.aspx>
- Colorado Energy Office. 2020. GHG Pollution Reduction Roadmap. <https://energyoffice.colorado.gov/climate-energy/ghg-pollution-reduction-roadmap#:~:text=Sets%20Colorado%20statewide%20goals%20to,emissions%20that%20existed%20in%202005.>
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- Western Colorado University Modeling. 2020. <https://www.walkingmountains.org/climate-action-collaborative/greenhouse-gas-inventories/>



IN HONOR OF

**Seth Bossung
Andy Jessen
Adam Palmer**



To: Mayor and Council
From: Madison Harris
Date: April 7, 2021
Agenda Item: Minturn Builders Alliance Conditional Use Permit (CUP) Review

REQUEST:

Staff requests a public hearing for the purposes of following the process outlined in Resolution 26 – Series 2018, a Resolution approving conditional use permit application CU 01 – 2018 for Minturn Builders Alliance Cooperative, UPRR Railroad Ave, Town of Minturn.

INTRODUCTION:

A complete introduction and background of the Union Pacific Railroad (PUD Holding Zone) Conditional Use process can be reviewed within the Staff Report provided during the 2020 CUP review process and included as an attachment herein.

Of recent issue, and the reason for a request for public hearing, is due to Minturn Builders Alliance receiving a third violation notice within a 12-month period. As outlined and approved within Resolution 26 – Series 2018 condition #6, three violations within one-year trigger a recommendation to Council for revocation of the CUP.

ANALYSIS:

In May of 2020 – The Town received several resident complaints regarding the storage of non-work-related vehicles, and the absence of fencing and/or green screening around lease area boundaries.

In June of 2020 – A site visit was conducted with Reid Phillips to discuss issues of non-compliance. From this visit a warning letter was sent detailing the specific areas of non-compliance and providing a warning period to correct the potential violations before official violation notices were sent. These issues were corrected within the given period.

In December of 2020 – The Town received a resident complaint regarding the storage of an unlicensed vehicle.

In January 2021 Town staff received a complaint from a concerned resident regarding the storage of non-work related and/or unregistered vehicles within the CUP area. On Thursday, January 28, 2021 Town staff visited the CUP site and identified the vehicles with expired registrations which appeared to be non-work related in addition to another non-work related vehicle. A second staff visit on February 2, 2021 found the vehicles in violation to still be present on the CUP property. (See attached Notice of Violation dated February 2021). As indicated by Condition #3 of the Conditional Use Permit; There shall be no inoperable/unlicensed vehicles kept on the property for longer than 5 days as required by the Minturn Municipal Code, Sec 7-2-70.

In March 2021, a third violation notice was sent in follow up to the second notice as the issues had not been addressed.

These violations were/are Minturn Builders Alliance’s third notice of violation. As identified in Resolution 26 – Series 2018, a third notice of violation in a 12-month period initiates staff to escalate the issue to the Council-level for recommended revocation of the CUP. Revocation is at the sole discretion of the Town Council.

Staff acknowledges the need for revisions to the original railyard CUP process. Although this will not change the need for permit holders to follow the rules outlined, this will provide the opportunity to more thoroughly mitigate and address issues at the staff level prior to being elevated to the Council. Staff expects to present an updated process at the already-determined 3-year CUP renewal period in the fall of 2021.

COMMUNITY INPUT:

Significant – Many Minturn residents, a large number specifically from Taylor Ave, expressed their disapproval of activity in the railyard and identified preferable uses to include an open space area.

BUDGET / STAFF IMPACT:

Staff impact has been significant (at times) and remains ongoing.

STRATEGIC PLAN ALIGNMENT:

Following the process outlined in Resolution 26 – Series 2018 and publicly approved follows the Minturn Strategic Plan as follows:

PRACTICE FAIR, TRANSPARENT AND COMMUNICATIVE LOCAL GOVERNMENT

RECOMMENDED ACTION OR PROPOSED MOTION:

The process for addressing PUD Holding Zone Conditional Use Permits as outlined in Resolution 26 – Series 2018 requires staff to recommend revocation of the CUP – the Resolution provides no leeway on this matter. The Resolution does allow for the Council to hear the issues and make an independent determination based on all considerations – it does not require the Council to revoke the permit. Should Council determine not to revoke the permit, staff will look for direction on improved methods to ensure compliance, as violations may no longer be an impetus in and of themselves for a violating CUP holder to follow the conditions outlines.

ATTACHMENTS:

- December 2020 Notice of Violation to Minturn Builders Alliance, CUP Holder
- February 2021 Notice of Second Violation to Minturn Builders Alliance, CUP Holder
- March 2021 Notice of Third Violation to Minturn Builders Alliance, CUP holder
- Resolution 26 – Series 2018
- 2020 CUP Planning Dept Report

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



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

December 9, 2020

Minturn Builder's Alliance
C/O: Reid Phillips

Reid Phillips
PO Box 1823
Vail, CO 81658

Via: Email and Certified Mail

Re: Minturn Builder's Alliance CUP Notice of Violation

Reid Phillips:

This is a formal notice of a violation to your Conditional Use Permit in relation to the storage of an unlicensed vehicle on your property for longer than five days.

Sec. 7-3-190 – Inoperable vehicles.

(a) Any inoperable vehicle parked on any lot or parcel of property in the Town is a nuisance. For purposes of this Section, inoperable vehicle shall mean any vehicle, including but not limited to motor vehicles, trailers, motorcycles, snowmobiles and ATVs, which does not have a current license or registration, is incapable of moving or operating on its own power or as originally manufactured or is missing, in the judgment of authorized Town officials, any significant component part. However, not more than two (2) unlicensed inoperable vehicles owned by the owner or occupant of the property may be stored, for repair or restoration purposes only and not for sale, in the side or rear yard of the property if screened from public view by a permanent opaque wall or fence at least six (6) feet in height.

(b) It is unlawful for any person or agent, either as owner, lessee, tenant or occupant of any lot or land within the Town, to park, store or deposit or permit to be parked, stored or deposited thereon an inoperable vehicle unless such vehicle is enclosed in a garage or other building. The provisions of this Section shall not apply to any person or agent with one (1) vehicle inoperable for a period of less than thirty (30) consecutive days, or to any person who is conducting a business enterprise in compliance with existing zoning regulations.

(Prior code 7-24; Ord. 15-2008 §1)

Inserted below are photos dated November 20, 2020 of an unlicensed tractor trailer. It needs to be registered by January 9, 2020. If it is not registered by the stated date, then a second violation notice will be sent out, and then a third if that second one is also not complied with. If your CUP accumulates 3 violations, then Town Staff will recommend to the Town Council that the Conditional Use Permit be revoked.

As a reminder, the terms governing your use of the lease areas under the Conditional Use Permit approved in 2018 are as follows:

1. Request that only business- related items related to the expressed business be located on leased property. No vehicle shall exceed 40' 2" in length.
2. No recreational vehicles or ATV' s of any kind. Not limited to boats, snowmobiles, ATV' s. RV' s, campers, pop-ups, conversion vans, trailers, un-related work vehicles, etc.
3. **No inoperable / unlicensed vehicles kept on property for longer than five (5) days. Sec. 7-2-70.**
4. Leased lots to be maintained in a clean and orderly condition, permitting no deposit or accumulation of refuse or materials other than those ordinarily attendant upon the use for which such premises are legally intended. Sec. 7- 4- 50.
5. Lessees are to maintain business in contained areas only.
6. Annual report by the Code Compliance Officer to Council — re: Violations
 - a. 3 violations in 1 year
 - b. Recommendation to Council to revoke CUP
7. Lessees to meet with Town Council every 3 years for CUP review.
 - a. Report from Code Compliance Office
 - b. Report from Planning Director
8. Hours of operation: 7 days a week. 7:00 a.m. to 7:00 p.m.
9. Maintain noise and vibration standards. Sec. 16-18-30
10. All leased areas to be fenced and screened (Green covering) on all perimeter fencing of leased property
11. Supplies, parking, vehicles, and equipment within fenced area or designated leased area only
12. Proper fuel containment/inspected by Eagle River Fire Protection District for small volume (less than 100 gallons) in OSHA approved containers.
13. All parking must be done within the fenced yard and/or building
14. Any chemical storage will require material safety data sheets. No chemical storage within 30' river setback
15. Emergency access of 20' through the yard and at both access gates
16. Off-season use will require site storage of snow and keeping emergency access cleared.
 - a. Maintain proper snow storage or sufficient snow removal
17. Conditional use granted as long as the applicant complies with the conditions and has a valid lease agreement with the owner of the property.
18. Town staff inspects the site for compliance at any time.

Please feel free to contact the Minturn Planning Department at (970) 827-5645, Extension 2 if you have questions, or if you would like to view the Conditional Use Permit.

Sincerely,

Madison Harris

Madison Harris
Planner I



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



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

February 9, 2021

Minturn Builder's Alliance
C/O: Reid Phillips

Reid Phillips
PO Box 1823
Vail, CO 81658

Via: Email and Certified Mail

Re: Minturn Builder's Alliance CUP Second Notice of Violation

Reid Phillips:

This is a formal notice of a violation to your Conditional Use Permit in relation to the storage of non-work related vehicles, unlicensed vehicles, and broken screening. This is your second violation notice. A prior notice of violation was sent December 9, 2020. Inserted below are photos dated January 28, 2021 and February 2, 2021 of multiple vehicles that have expired tags or are unregistered, and broken screening. Please remedy this by March 1, 2021.

The conditions of approval for the Conditional Use permit indicate that after a CUP receives three violations within a one-year period, staff is to recommend revocation of the permit to the Town Council.

As a reminder, the terms governing your use of the lease areas under the Conditional Use Permit approved in 2018 are as follows:

1. Request that only business- related items related to the expressed business be located on leased property. No vehicle shall exceed 40' 2" in length.
2. **No recreational vehicles or ATV' s of any kind. Not limited to boats, snowmobiles, ATV' s. RV' s, campers, pop-ups, conversion vans, trailers, un-related work vehicles, etc.**
3. **No inoperable / unlicensed vehicles kept on property for longer than five (5) days. Sec. 7-2-70.**
4. Leased lots to be maintained in a clean and orderly condition, permitting no deposit or accumulation of refuse or materials other than those ordinarily attendant upon the use for which such premises are legally intended. Sec. 7- 4- 50.
5. Lessees are to maintain business in contained areas only.
6. Annual report by the Code Compliance Officer to Council — re: Violations
 - a. 3 violations in 1 year

- b. Recommendation to Council to revoke CUP
- 7. Lessees to meet with Town Council every 3 years for CUP review.
 - a. Report from Code Compliance Office
 - b. Report from Planning Director
- 8. Hours of operation: 7 days a week. 7:00 a.m. to 7:00 p.m.
- 9. Maintain noise and vibration standards. Sec. 16-18-30
- 10. **All leased areas to be fenced and screened (Green covering) on all perimeter fencing of leased property**
- 11. Supplies, parking, vehicles, and equipment within fenced area or designated leased area only
- 12. Proper fuel containment/inspected by Eagle River Fire Protection District for small volume (less than 100 gallons) in OSHA approved containers.
- 13. All parking must be done within the fenced yard and/or building
- 14. Any chemical storage will require material safety data sheets. No chemical storage within 30' river setback
- 15. Emergency access of 20' through the yard and at both access gates
- 16. Off-season use will require site storage of snow and keeping emergency access cleared.
 - a. Maintain proper snow storage or sufficient snow removal
- 17. Conditional use granted as long as the applicant complies with the conditions and has a valid lease agreement with the owner of the property.
- 18. **Town staff inspects the site for compliance at any time.**

Please feel free to contact the Minturn Planning Department at (970) 827-5645, Extension 2 if you have questions, or if you would like to view the Conditional Use Permit.

Sincerely,



Madison Harris
Planner I

Cc: Michelle Metteer, Town Manager
Scot Hunn, Town Planner
Richard Peterson-Cremer, Attorney
Michael J Sawyer, Attorney
Anna Dancer, Union Pacific Railroad















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



Minturn Planning Commission
Chair – Lynn Teach
Jeff Armistead
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Chris Manning
Jena Skinner

March 10, 2021

Minturn Builder's Alliance
C/O: Reid Phillips

Reid Phillips
PO Box 1823
Vail, CO 81658

Via: Email and Certified Mail

Re: Minturn Builder's Alliance CUP Third and Final Notice of Violation and Recommendation for Revocation

Reid Phillips:

This is the third and final notice of violation to your Conditional Use Permit (CUP). Upon inspection by Town staff, no less than two vehicles with expired registrations and an unrelated work-vehicle were located on the premises. Inserted below are photos dated March 3, 2021 of the unregistered vehicles with expired tags and the non-work related vehicle, which appears to be a snowmobile trailer. Unrelated work-vehicles of any kind are not permitted within the permitted premises pursuant to CUP Condition Number 2 of your permit as set forth below. Further, unlicensed vehicles are not to remain on the property for a period greater than five days, pursuant to CUP Condition Number 3 of your permit as set forth below. Additionally, screening should be kept in functional condition pursuant to CUP Condition Number 10. The screening shown in picture number 5, behind the snowmobile trailer, is currently not functional.

This is your third and final notice of violation. Although each of these issues constitute an independent violation, the cumulative result of these violations is your third notice of violation. Two previous notices of violation were sent via email and USPS on November 23rd, 2020 and February 9th, 2021, which are incorporated herein by reference.

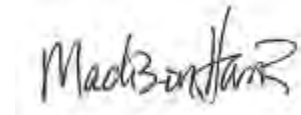
CUP Condition Number 6 set forth below directs staff to recommend revocation of a CUP to Town Council after three violations have accrued within a one-year period. **You are hereby notified that because this is your third notice of violation, pursuant to CUP Condition Number 6, Town staff is recommending to Town Council that your CUP be revoked.** Town Council will take up this matter during a public hearing at its regular meeting on **Wednesday April 7, 2021.** At this hearing, you will have the opportunity to respond to staff's recommendation and present evidence relating to these alleged violations.

As a reminder, the terms governing your use of the lease areas under the Conditional Use Permit approved in 2018 are as follows:

1. **Request that only business- related items related to the expressed business be located on leased property. No vehicle shall exceed 40' 2" in length.**
2. **No recreational vehicles or ATV' s of any kind. Not limited to boats, snowmobiles, ATV' s. RV' s, campers, pop-ups, conversion vans, trailers, un-related work vehicles, etc.**
3. **No inoperable / unlicensed vehicles kept on property for longer than five (5) days. Sec. 7-2-70.**
4. Leased lots to be maintained in a clean and orderly condition, permitting no deposit or accumulation of refuse or materials other than those ordinarily attendant upon the use for which such premises are legally intended. Sec. 7- 4- 50.
5. Lessees are to maintain business in contained areas only.
6. **Annual report by the Code Compliance Officer to Council — re: Violations**
 - a. **3 violations in 1 year**
 - b. **Recommendation to Council to revoke CUP**
7. Lessees to meet with Town Council every 3 years for CUP review.
 - a. Report from Code Compliance Office
 - b. Report from Planning Director
8. Hours of operation: 7 days a week. 7:00 a.m. to 7:00 p.m.
9. Maintain noise and vibration standards. Sec. 16-18-30
10. **All leased areas to be fenced and screened (Green covering) on all perimeter fencing of leased property**
11. Supplies, parking, vehicles, and equipment within fenced area or designated leased area only
12. Proper fuel containment/inspected by Eagle River Fire Protection District for small volume (less than 100 gallons) in OSHA approved containers.
13. All parking must be done within the fenced yard and/or building
14. Any chemical storage will require material safety data sheets. No chemical storage within 30' river setback
15. Emergency access of 20' through the yard and at both access gates
16. Off-season use will require site storage of snow and keeping emergency access cleared.
 - a. Maintain proper snow storage or sufficient snow removal
17. **Conditional use granted as long as the applicant complies with the conditions and has a valid lease agreement with the owner of the property.**
18. **Town staff inspects the site for compliance at any time.**

Please feel free to contact the Minturn Planning Department at (970) 827-5645, Extension 2 if you have questions, or if you would like to view the Conditional Use Permit.

Sincerely,



Madison Harris
Planner I

Cc: Michelle Metteer, Town Manager
Scot Hunn, Town Planner
Richard Peterson-Cremer, Attorney

Michael J. Sawyer, Attorney
Anna Dancer, Union Pacific Railroad







**TOWN OF MINTURN, COLORADO
RESOLUTION NO. 26 – SERIES 2018**

**A RESOLUTION APPROVING CONDITIONAL USE APPLICATION CU 01 – 2018
FOR MINTURN BUILDERS ALLIANCE COOPERATIVE, UPRR RAILROAD AVE,
TOWN OF MINTURN**

WHEREAS, The Minturn Builders Alliance Cooperative has submitted a land use application for a Conditional Use Permit to allow for construction storage; and

WHEREAS, The Town of Minturn Town Council is commissioned with certain powers and duties contained in the Minturn Municipal Code Sec. 16.21.30; and

WHEREAS, public notice was given pursuant to Minturn Municipal Code Sec. 16.21.610; and

WHEREAS, on October 10, 2018 the Planning Commission held a public hearing on the application pursuant to Minturn Municipal Code Section 16.21.620 and approved the application as presented with conditions; and

WHEREAS, on November 7, 2018 the Town Council held a public hearing on the application pursuant to Minturn Municipal Code Section 16.21.620; and

WHEREAS, The Town Council may approve the application as submitted or may approve the application subject to such modifications or conditions as it deems necessary to accomplish the purpose of this Article, or the Town Council may deny the application including the following findings:

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

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

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

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

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO HEREBY AND HEREWITH:

Section 1. that the application for a Conditional Use Permit for File No. CU 01 – 2018 be approved subject to the following conditions:

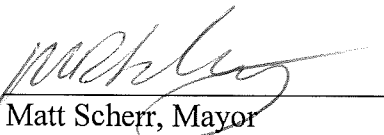
1. Request that only business-related items related to the expressed business be located on leased property. No vehicle shall exceed 40'2" in length.
2. No recreational vehicles or ATV's of any kind. Not limited to boats, snowmobiles, ATV's, RV's, campers, pop-ups, conversion vans, trailers, un-related work vehicles, etc.
3. No inoperable / unlicensed vehicles kept on property for longer than five (5) days. Sec.7-2-70.
4. Leased lots to be maintained in a clean and orderly condition, permitting no deposit or accumulation of refuse or materials other than those ordinarily attendant upon the use for which such premises are legally intended. Sec. 7-4-50.
5. Lessees are to maintain business in contained areas only.
6. Annual report by the Code Compliance Officer to Council – re: Violations
 - a. 3 violations in 1 year
 - b. Recommendation to Council to revoke CUP
7. Lessees to meet with Town Council every 3 years for CUP review.
 - a. Report from Code Compliance Office

b. Report from Planning Department

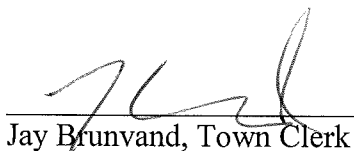
8. Hours of operation: 7 days a week. 7:00 a.m. to 7:00 p.m.
9. Maintain noise and vibration standards. Sec. 16-18-30
10. All leased areas to be fenced and screened (Green covering) on all perimeter fencing of leased property
11. Supplies, parking, vehicles, and equipment within fenced area or designated leased area only
12. Proper fuel containment / inspected by Eagle River Fire Protection District for small volume (less than 100 gallons) in OSHA approved containers.
13. All parking must be done within the fenced yard and/or building
14. Any chemical storage will require material safety data sheets. No chemical storage within 30' river setback
15. Emergency access of 20' through the yard and at both access gates
16. Off-season use will require site storage of snow and keeping emergency access cleared.
 - a. Maintain proper snow storage or sufficient snow removal
17. Conditional use granted as long as the applicant complies with the conditions and has a valid lease agreement with the owner of the property.
18. Town staff inspects the site for compliance at any time.

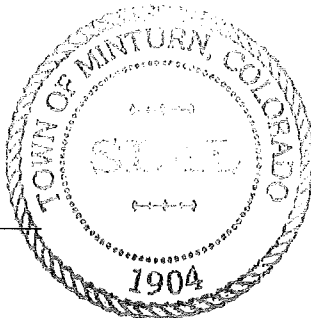
INTRODUCED, READ, APPROVED, ADOPTED AND RESOLVED this 7TH day of November, 2018.

TOWN OF MINTURN

By: 
Matt Scherr, Mayor

ATTEST:


Jay Brunvand, Town Clerk





2020 Union Pacific Railroad Property Conditional Use Permit Reviews

Overview of Zoning, the CUP Process, and Enforcement Issues

Zoning:	Game Creek Character Area PUD Holding Zone
Staff:	Scot Hunn, Planning Director Madison Harris, Planner I

Staff Report

I. Overview:

The following sections outline the Conditional Use Permit review process, the requirements and necessary findings of the Minturn Municipal Code, and a summary of enforcement chronology and issues associated with historic storage and parking uses on leased Union Pacific Railroad (UP) property located on the north side of the Town.

This overview is provided for the Council's benefit and use in reviewing four separate CUPs for parking and contractor storage uses occurring on the UP property. Importantly, the standards and findings listed below are germane to each of the four CUP reviews before the Council at the October 21, 2020 regular meeting.

II. Summary of Process and Code Requirements:

This is a Conditional Use Permit (CUP) review by the Town of Minturn Town Council, acting as the Town of Minturn Zoning Board of Adjustment – the body responsible for review of CUPs in accordance with the standards, criteria and findings outlined in Section 16-21-620 – *Conditional Use*, Minturn Municipal Code. Any action of the Town of Minturn Town Council should be based on the following standards and findings:

(e) Conditions and procedure of issuance.

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

(d) Administrative procedure.

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

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

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

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

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

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

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

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

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

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

III. Chronology/Background:

In 2017, the Minturn Town Council listed compliance and enforcement of the Minturn Municipal Code, as well as adherence to recommendations of the 2009 Community Plan, as a priority for the entire town. In doing so, the Council also focused on uses and, in certain instances, ongoing code enforcement and nuisance-related issues occurring at the UP properties located within the “Game Creek Character Area PUD Holding Zone District” which is generally situated north of the Eagle River Inn and Saloon buildings, west of Taylor Avenue, and east of the Eagle River.

In order to address such issues and concerns, the Town initiated outreach to existing leaseholders on UP property in 2017 with several existing lease holders operating contractor storage, as well as commercial uses (Turn Table Restaurant and lodging uses) on UP property with the goal to allow those uses to continue, but only via the approval of Conditional Use Permits (CUPs) as a means to regulate those uses more closely through the imposition and enforcement of “conditions” or standards for storage (fencing, screening, parking, hours of operation, for instance).

According to the Minturn Municipal Code, any uses occurring on the UP properties – located within the “Game Creek Character Area PUD Holding Zone District” - require the approval of a Planned Unit Development (PUD), or, if master planning the UP property is not proposed, a Conditional Use Permit. Unfortunately, UP has been largely uninvolved in the CUP process; typically, UP executes leases for various lease areas within the railroad property without communication with the Town, leaving the Town to discover 1) new leases and uses occurring in the railyard through code enforcement activity, and 2) changes in lessors (subleasing) making it difficult for the Town to determine who to contact as a matter of code compliance.

After an extensive public process with hours of public comments submitted, Conditional Use Permits were ultimately issued in late 2018 for the following business entities operating with leases on the UP property:

- Burke Harrington Construction (BHC)
- Happy Hammer Carpentry (Cozzens Construction)
- The Turntable Restaurant / Minturn Mountain Motel
- Minturn Builders Alliance Cooperative

The CUPs were approved with the following conditions or standards:

1. Request that only business- related items related to the expressed business be located on leased property. No vehicle shall exceed 40' 2" in length.
2. No recreational vehicles or ATV' s of any kind. Not limited to boats, snowmobiles, ATV' s. RV' s, campers, pop-ups, conversion vans, trailers, un-related work vehicles, etc.
3. No inoperable / unlicensed vehicles kept on property for longer than five (5) days. Sec. 7-2-70.
4. Leased lots to be maintained in a clean and orderly condition, permitting no deposit or accumulation of refuse or materials other than those ordinarily attendant upon the use for which such premises are legally intended. Sec. 7- 4- 50.
5. Lessees are to maintain business in contained areas only.
6. Annual report by the Code Compliance Officer to Council — re: Violations
 - a. 3 violations in 1 year

- b. Recommendation to Council to revoke CUP
7. Lessees to meet with Town Council every 3 years for CUP review.
 - a. Report from Code Compliance Office
 - b. Report from Planning Director
8. Hours of operation: 7 days a week. 7:00 a.m. to 7:00 p.m.
9. Maintain noise and vibration standards. Sec. 16-18-30
10. All leased areas to be fenced and screened (Green covering) on all perimeter fencing of leased property
11. Supplies, parking, vehicles, and equipment within fenced area or designated leased area only
12. Proper fuel containment/inspected by Eagle River Fire Protection District for small volume (less than 100 gallons) in OSHA approved containers.
13. All parking must be done within the fenced yard and/or building
14. Any chemical storage will require material safety data sheets. No chemical storage within 30' river setback
15. Emergency access of 20' through the yard and at both access gates
16. Off-season use will require site storage of snow and keeping emergency access cleared.
 - a. Maintain proper snow storage or sufficient snow removal
17. Conditional use granted as long as the applicant complies with the conditions and has a valid lease agreement with the owner of the property.
18. Town staff inspects the site for compliance at any time.

Following approval of the CUPs, no significant code enforcement investigations or actions (notices of violation) on UP property were taken in 2019.

However, in Spring 2020 the Town began receiving complaints from multiple parties regarding the state of some of the lease areas. Complaints and investigations by the Town identified issues related to:

- A lack of 100% screening (or lack of maintenance of green mesh fabric on fencing) of lease area boundaries
- Noise and/or hours of operation
- Use of sites for operation contractor yards rather than for “contractor storage”
- Parking outside of the approved leased areas
- Parking of unregistered/unlicensed vehicles
- Storage of non-business-related vehicles, trailers and equipment

Following investigations by the Town, two CUP holders – Burke Harrington Construction and Minturn Builders Alliance – were notified of violations of the terms of their respective Conditional Use Permits.

General Code Enforcement Chronology:

- **September 2017** – Correspondence was sent from the Town to UP representative Jason Mashek to notify UP of “review” of existing uses and permits on UP property and to request list of active, valid lease holders.
- **November 2017** – Correspondence was sent from Town to J. Mashek apprising UP of the Town’s intent to enforce Minturn Municipal Code (MMC) provisions and to gain compliance

of existing uses and businesses operating on UP property by “having all occupied addressed with the PUD Holding Zone properly permitted by April 1, 2018.”

- **January 2018** – Correspondence was sent from the Town to individual businesses operating on UP property that the Town had commenced the process to work with UP and individual business owners to enforce the provisions of the MMC and to bring businesses into compliance. A stated goal was to assist the UP and individual businesses in applying for Conditional Use Permits and to address or “eliminate” issues such “sub-leasing, outdoor storage of unapproved items, businesses without [conditional] use permits...or businesses in violation of their permit...”
- **February 2018** – Correspondence from the Town to J. Mashek appealing for cooperation in gaining compliance for existing lease holders and to get those businesses operating without CUPs to work with the Town to make application. This correspondence put the UP on notice that any businesses (leaseholders) operating without valid CUPs will not have their annual business licenses renewed (as of April 2018).
- **February 2018** – Additionally correspondence from the Town to individual business owners operating on UP property that the Town had commenced the process to work with UP and individual business owners to enforce the provisions of the MMC and to bring businesses into compliance. The correspondence included application forms for Conditional Use Permits.
- **February 2018** – Correspondence from J. Mashek (UP) stating that tenants of UP property were permitted to sub-lease, but only if approved by UP. Mr. Mashek clarified that no existing lessee has permission to sub-lease.
- **February 2018** – Correspondence from the Town to J. Mashek clarifying that intent of Town is to ensure that lease area boundaries are delineated and fenced (for screening and security purposes) and that the Town was interested in controlling traffic on the one access road traversing the UP property. In a response from J. Mashek to town staff, Mr. Mashek clarified that storage of extraneous vehicle storage (non-business related, inoperable, or unregistered vehicles) are “not allowed” but that that sub-leasing to allow for such storage is “difficult for us to monitor.” Mr. Mashek further inquired “If you can point to the tenants where you know (or have a good suspicion) are subleasing for trailer/auto/camper/boat storage, please let me know and I will get it handled.
- **September 2018** – Business owners operating on UP property applied for Conditional Use Permits to continue contractor storage/light industrial uses.
- **November 2018** – Following public hearings before the Planning Commission and Town Council, the Council signed resolutions permitting these uses conditional on adherence with the approved contractor standards.
- **May 2020** – The Town received several complaints regarding the storage of non-work-related vehicles, the absence of fencing and/or green screening around lease area boundaries, and the operation of machinery outside of specified operating hours 7am-7pm.
- **June 2020** – Site visits were conducted with Minturn Builders Alliance representative and Burke Harrington to discuss issues of non-compliance.
- **June 2020** – Letters were sent to these CUP holders (Minturn Builders Alliance and Burke Harrington Construction) detailing specific areas of non-compliance and providing a warning period to correct the potential violations before official violation notices were sent.
- **July 2020** – Two violation notices were sent to Burke Harrington Construction for failure to remove a non-work-related vehicle and for failure to erect screening fence.

Burke Harrington Construction Chronology:

- **Late 1990's** – BHC enters into a lease agreement with Union Pacific Railroad.
- **2017** – the Town commenced code enforcement actions to address the condition of the property (fencing and screening of storage areas) as well as suspected subleasing/storage of recreational vehicles occurring within the leased areas.
- **2018** – the Applicants applied for an amendment to the Conditional Use Permit.
- **December 2019** – Burke Harrington Construction obtains a new lease through Union Pacific Railroad but no update of a new lease or CUP application is received by the Town.
- **May 2020** – The Town received several complaints regarding the storage of non-work-related vehicles, the absence of fencing and/or green screening around lease area boundaries, and the operation of machinery outside of specified operating hours 7am-7pm.
- **June 2020** – Site visits were conducted with Minturn Builders Alliance representative and Burke Harrington to discuss issues of non-compliance.
- **June 2020** – Letters were sent to these CUP holders (Minturn Builders Alliance and Burke Harrington Construction) detailing specific areas of non-compliance and providing a warning period to correct the potential violations before official violation notices were sent.
- **July 2020** – Two violation notices were sent to Burke Harrington Construction for failure to remove a non-work-related vehicle and for failure to erect screening fence.
- **August 2020** – Burke Harrington Construction installs fencing and mesh screening material while also removing the offending vehicle on the existing CUP lease area.
- **August 2020** – Burke Harrington Construction applies for a new Conditional Use Permit for contractor storage at the proposed lease site.

Minturn Builders Alliance/Cooperative Chronology:

- **December 2005** – Rocky Mountain Custom Landscapes (RMCL) and Minturn Builders Alliance (MBA) were granted approval, with fourteen (14) conditions for a conditional use permit for a contractor storage yard and associated parking in a different location near Taylor Street.
- **March 2009** - The Minturn Builders Alliance Cooperative was formed, and the location of the previously approved CUP was moved to its current location along the Eagle River with administrative approval from the Town staff.
- **2013** - MBAC obtained an additional lease from Union Pacific Railroad for a small area located just to the east and across an internal access road from the MBA's main lease area. This additional area is currently being used/subleased for contractor storage and operations for a plant nursery and other storage uses.
- **2017** - The Town commenced code enforcement actions to address the condition of the property (fencing and screening of storage areas) as well as suspected sub-leasing/storage of recreational vehicles occurring within the leased areas.
- **2018** – The Applicants applied for an amendment to the Conditional Use Permit.
- **May 2020** – The Town received several complaints regarding the storage of non-work-related vehicles, the absence of fencing and/or green screening around lease area boundaries, and the operation of machinery outside of specified operating hours 7am-7pm.
- **June 2020** – Site visits were conducted with Minturn Builders Alliance representative and Burke Harrington to discuss issues of non-compliance.

- **June 2020** – Letters were sent to these CUP holders (Minturn Builders Alliance and Burke Harrington Construction) detailing specific areas of non-compliance and providing a warning period to correct the potential violations before official violation notices were sent.

Cozzens Constructions Chronology:

- **August 17, 2008** – Cozzens Construction enters into a lease agreement with Union Pacific Railroad.
- **2017** – The Town commenced code enforcement actions to address the condition of the property (fencing and screening of storage areas) as well as suspected sub-leasing/storage of recreational vehicles occurring within the leased areas.
- **2018** – The Applicants applied for an amendment to the Conditional Use Permit.

Turntable Restaurant & Motel Chronology:

- **June 2006** – The Turntable Restaurant and Motel uses were approval via CUP with twelve (12) conditions for the operation of the restaurant, motel and associated parking.
- **2016** – The ownership of the restaurant and motel changed.
- **2016** – A new liquor license for the restaurant was granted, along with a parking plan for restaurant and motel patrons and residents.
- **2017** – The Town commenced code enforcement actions to address sub-leasing of parking spaces within the designated parking areas for the restaurant and motel as well as storage and screening issues.
- **2018** – The Applicant applied for an amendment to the Conditional Use Permit and began actively cooperating with the Town to address issued identified by the Town.

IV. Zoning Analysis:

Zoning

The subject property is located within the “Game Creek Character Area” PUD Holding Zone District. The description and purposes of the PUD Holding Zone District are as follows:

Sec. 16-12-10. - Character Area characteristics.

The Game Creek Character Area is visually prominent from the north entryway into the Town. The area is predominantly devoted to railroad use and will require a comprehensive planning effort prior to redevelopment. In addition to the rail yard, the area contains the Taylor Avenue neighborhood, some commercial uses and a community parking lot. The area is bisected by the railroad right-of-way, which is intended to remain as a continuous transportation corridor. Most of the area lacks adequate street rights-of-way and utilities. The Community Plan has identified this area as an appropriate area for extension of the Old Town commercial core, mixed-use and residential development; however, high impact industrial uses are discouraged. Enhancement of the Eagle River corridor is a community priority.

- Town of Minturn Municipal Code Section 16-12-10

Sec. 16-12-30. - Game Creek PUD Holding Zone.

- (a) *This area is currently owned by the Union Pacific Railroad; however, trains are no longer utilizing the corridor or the rail yard. **The historic industrial zoning is no longer appropriate due to the probable abandonment of the rail line and potential conflict with future commercial and residential development.** Redevelopment of this area will have a significant impact on the future character and size of the Town.*

- (b) *It is an objective of the Town to plan and redevelop the rail yard as a master planned development that is compatible with the existing Town character. Future development and land use decisions for this area need to incorporate community input and involve an open public process. The PUD Holding Zone and the PUD review process will provide for the flexibility, innovation and public input necessary to achieve the goals and objectives of the Community Plan and this Chapter. This area has been identified in the Community Plan as an area suitable for expansion of Old Town and as a "potential Town Center" site. Development in this area needs to incorporate appropriate residential and low-impact land uses along Taylor Avenue to minimize impacts to the existing neighborhood. The rail corridor should be maintained and improved access to and across the Eagle River should be incorporated into proposed development plans.*

- (c) *PUD or special review required: Planned Unit Development master development plan for the PUD Holding Zone is the preferred review process for future development of the Game Creek Holding Zone. **If circumstances arise that do not provide for the submittal of a PUD master development plan for the entire Game Creek PUD Holding Zone, the owners may apply to the Town for a Planned Unit Development on a portion of the property or may apply for a special review use permit for consideration of a temporary use.***

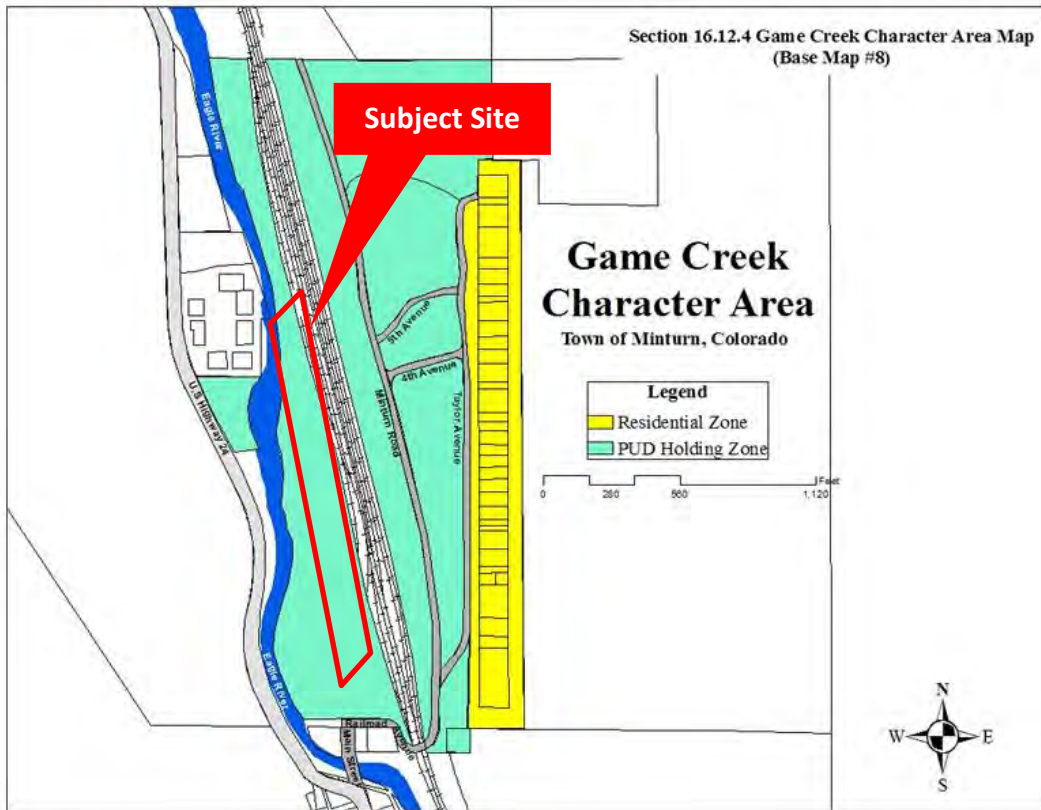


Figure 1: Game Creek Character Area Zoning Map

Dimensional Limitations and Development Standards

The only applicable dimensional limitation and/or development standard for the PUD Holding Zone is the 30’ river setback to be measured from the mean highwater mark on the Eagle River. The lease area boundary for the proposed Burke Harrington Construction Conditional Use Permit is located approximately 50 feet from the Eagle River.

Because it is anticipated by the Town that any future development or redevelopment of the holding zone will be master planned and reviewed as part of a Planned Unit Development (PUD) or special use permit, dimensional limitations and other standards are also anticipated to be established as part of any such review.

The Town of Minturn Design Standards and Guidelines, under Section C – *Design Criteria*, subsection ‘c’ – *Materials and Screening*, offers the following guidance:

c. Screening

Both residential and commercial areas within the Town shall be required to screen certain visually obtrusive areas, including, but not limited to, refuse storage, general storage, loading areas, mechanical equipment and parking areas.

“The screening may occur with landscaping, compliant with Sections 16-16-140, 16-16-150 and 16-16-160, or these uses may be screened with fencing or by

containing the uses within a structure or parapet walls. Fences shall not exceed 3-feet in height for opaque fences and 4 feet in height for fences with you can see through. Higher fences may be used to screen the sides and rear of the lot but should not exceed 6 feet in height. In no case shall a fence or screening structure obstruct a driver's view of an intersection."

V. Issues and Discussion Topics:

Visibility / Unsightliness

While a majority of equipment associated with the business is to be stored within an existing building, areas outside the building and within the lease area will be used for storage and parking of vehicles as well. This area is visible from certain vantage points from Taylor Avenue residential zone district and U.S. Highway 24.

Chain link fencing and green mesh screening have been installed around current approved leased areas that have CUPs attached to them. Certain conditions and standards directed at ensuring that the site is maintained in an orderly fashion and also limiting the storage of certain equipment and/or vehicle types and sizes apply.

VI. Staff Findings and Analysis:

The following section provides staff responses to each of the applicable Conditional Use criteria.

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

Staff Response:

Under "Community Character / Urban Design" of the 2009 Community Plan (the Town's comprehensive plan), strategy number CCS 1.8 states – *"Enforce ordinances aimed at maintaining the health, safety, welfare and aesthetic of the town – snow, trash, nuisance abatement and zoning/land use."*

Under "Economy" of the 2009 Plan, the Economy vision statement states, in part, that *"A diverse mix of businesses catering to the local community and tourist are necessary for a stable, year-round economy. Special efforts should be made to promote the existing businesses in town and to also facilitate new business development."*

In 2018, the intent of the Town – working *with* existing lease holders to identify and propose solutions to existing conditions and issues – was to conduct the CUP process so that existing uses could continue as a means to protect existing business operations in the Town while also allowing the Town to regulate such uses and enforce Town Code provisions for safety, nuisances, and general aesthetics. Ultimately, the goals of this process were to:

- Maintain the diversity and mix of businesses
- Contribute to the year-round economy
- Protect the health, safety, welfare, and the aesthetics of the town.

Testimony and participation at public hearings before approval of the CUPs led to the development of the contractor storage standards and terms of use that were attached to the CUPs as conditions of approval.

However, in the interim year and a half, compliance with those conditions – and maintenance of the sites - has waned or was never fully realized in some instances. In other instances, original lease and CUP holders have since sub-leased their areas to secondary users who may or may not have been aware of the terms of use.

In 2020, this has resulted in numerous complaints being received by the Town and has caused the Town to spend considerable time and resources responding to those complaints while increasing monitoring of business operations and existing conditions at all of the existing CUP lease areas.

The UP property – and the lease areas - is one of the first things people see when they enter Town from the North, and often it is not an aesthetically pleasing sight. While it is true that this is a unique piece of land which allows light industrial/contractor storage uses that are not permitted elsewhere in Town and thus adds to the diversity and mix of businesses, it has become apparent that more work is needed to ensure that such uses can remain in this area while not becoming a detriment to the image of the town, the enjoyment of adjacent or nearby properties, or the resources and efficacy of the Town government.

In accordance with the terms of CUP approvals for the contractor storage uses on UP property, the Town is conducting reviews of each existing CUP, nearly two years following their original approval. Staff anticipates that as part of this review process the Town will re-examine the 18 conditions or standards/terms of use to better understand which standards are “working” or enforceable, and which are not.

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

Staff Response:

The current operations on UP property, inclusive of parking and requested storage uses within the lease boundaries, have minimal material impact or effect on the distribution of population, transportation, utilities, schools, parks and recreational facilities and other public facilities and/or needs.

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

Staff Response:

Use of the leased areas for contractor storage associated with an existing business in close proximity to an existing storage site does not result in a material increase in local traffic, congestion, pedestrian safety, traffic flow and control, access, maneuverability and snow removal in the immediate vicinity of the subject property.

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

Staff Response:

Until the late 1990's the character of the area in question had been a working railyard. This railyard was established prior to the town becoming incorporated in 1904 and prior to a majority of the homes being built along Taylor Avenue.

Staff believes that the main factor impacting the character of the surrounding area or, importantly, the compatibility of the use within the Game Creek Character Area is the visual or aesthetic quality of the lease area. Fencing/screening has already been erected around the leased areas boundaries.

- e. *Necessary findings. The Planning Commission and Town Council shall make the following findings before making a recommendation or decision that a conditional use permit be granted:*
1. *That the proposed location of the use is in accordance with the purposes of this Chapter, the Community Plan and the purposes of the zone in which the site is located.*

Staff Response:

Generally, the subject site is located within a historically industrial and commercial area. Yet, the Town's master plan and guiding policy statements for the Game Creek Character PUD Holding Zone anticipate the discontinuance of industrial uses in favor of commercial and residential re-development:

"The Game Creek Character Area is visually prominent from the north entryway into the Town. The area is predominantly devoted to railroad use and will require a comprehensive planning effort prior to redevelopment. In addition to the rail yard, the area contains the Taylor Avenue neighborhood, some commercial uses and a community parking lot. The area is bisected by the railroad right-of-way, which is intended to remain as a continuous transportation corridor. Most of the area lacks adequate street rights-of-way and utilities. The Community Plan has identified this area as an appropriate area for extension of the Old Town commercial core, mixed-use and residential development; however, high impact industrial uses are discouraged. Enhancement of the Eagle River corridor is a community priority."

- Town of Minturn Municipal Code Section 16-12-10

It should be noted that the Community Plan does provide goals and strategies geared toward supporting existing businesses, and the uses proposed for these CUPs primarily include storage within leased areas. As such, staff suggests that the use does not constitute "high impact industrial uses."

A primary purpose of the Conditional Use Permit review is to ensure that permitted uses are, in effect, temporary and inspected on some regular basis for compliance; that, any such approval granted by the Town is valid so long as the terms and conditions are adhered to which has been an issue with existing contractor storage CUPs in recent months requiring more staff time than originally anticipated.

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

Staff Response:

Generally, the location and uses, if properly conditioned, should not be detrimental to the public health, safety or welfare, nor should they be materially injurious to the properties or improvements in the vicinity if the site is maintained in accordance with the standards of the Minturn Municipal Code and any conditions of approval.

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

Staff Response:

If appropriate conditions of approval are attached with any granting of a CUP in this instance, and if such conditions are enforceable (jointly) by the Town and the Applicant, staff believes that this finding can be met.

VII. Staff Recommendation:

1. All material representations made by the Applicant as part of the application and during public hearings on the matter shall become conditions of approval and enforceable by the Town.
2. Only business-related items related to the expressed business shall be located on leased property. No vehicle shall exceed 40' 2" in length.
3. No recreational vehicles or ATV' s of any kind. Not limited to boats, snowmobiles, ATV' s, RV' s, campers, pop-ups, conversion vans, trailers, un-related work vehicles, etc.
4. No inoperable / unlicensed vehicles kept on property for longer than five (5) days (pursuant to Section 7-2-70 Minturn Municipal Code).
5. Leased lots to be maintained in a clean and orderly condition, permitting no deposit or accumulation of refuse or materials other than those ordinarily attendant upon the use for which such premises are legally intended (pursuant to Section 7- 4- 50 Minturn Municipal Code).
6. Lessees are to maintain and conduct business in contained areas only.
7. Annual report by the Code Compliance Officer to Council — re: Violations
 - a. 3 violations in 1 year
 - b. Recommendation to Council to revoke CUP
8. Lessees to meet with Town Council every 3 years for CUP review.
 - a. Report from Code Compliance Office
 - b. Report from Planning Director

9. Hours of operation: 7 days a week. 7:00 a.m. to 7:00 p.m.
10. Maintain noise and vibration standards (pursuant to Sec. 16-18-30, Minturn Municipal Code).
11. All leased areas to be fenced and screened (green mesh screening materials) on all perimeter fencing of leased property
12. Supplies, parking, vehicles, and equipment shall be located only within fenced areas or designated leased area only.
13. Proper fuel containment/inspected by Eagle River Fire Protection District for small volume (less than 100 gallons) shall be required in OSHA approved containers.
14. All parking must be located within the fenced yard and/or building(s).
15. Any chemical storage will require material safety data sheets be maintained on the lease site at all times. No chemical storage is permitted within 30' river setback areas along the Eagle River.
16. Emergency access of 20' through the Union Pacific railyard and at both access gates shall be maintained.
17. Off-season use will require site storage of snow and keeping emergency access cleared.
 - a. Maintain proper snow storage or sufficient snow removal.
18. Conditional Use Permit is granted conditional upon the applicant complying with these standards and so long as the grantee maintains a valid lease agreement with the owner of the property.
19. Town staff may inspect the site for compliance at any time.



To: Mayor and Council
From: Jay Brunvand
Date: April 7, 2021
Agenda Item: Resolution 10 – Series 2021

REQUEST:

Staff is requesting Council to approve Resolution 10 – Series 2021 a Resolution appointing Planning Commission Member to the Minturn Planning Commission.

Of the six applications received, Council is asked to choose three members and one alternate member. The alternate is raised to a voting member at the meeting if a member is absent. All those attending a meeting are paid \$75, the Alternate is paid for each meeting attended even if not raised to voting status. The Alternate is allowed/encouraged to participate from the dais on items before the Commission during any attendance regardless of voting status.

INTRODUCTION:

Minturn Planning Commission is a five member/plus one alternate commission appointed for two-year staggered terms. Members are appointed by the Town Council terms that run April through March. Similar to Council there is no limit to the number of consecutive terms one may serve, only that public review and appointment take place.

Staff has advertised the Commission openings and received six applications all of whom are qualified to serve. To be qualified an applicant must be a resident of Minturn for more than 12 consecutive months and a registered voter.

As stated, the Commission has three Commissioners and one Alternate Commissioner two-year appointments.

Applicants:

- Ms. Lynn Teach – 253 Pine St (seeking reappointment)
- Ms. Jena Skinner – 922 Main St (seeking reappointment)
- Mr. Spence Neubauer – 444 Eagle River St
- Mr. Brian Rodine – 223 Boulder St
- Mr. Elliot Hovey – 653 Boulder St
- Mr. Tom Priest – 120 Lions Ln

Members not up for appointment:

- Mr. Jeff Armistead – Appointment runs through 3/31/22
- Mr. Chris Manning – Appointment runs through 3/31/22

Note: Mr. Burk Harrington and Ms. Lauren Dickey are eligible but not seeking reappointment.

ANALYSIS:

N/A

COMMUNITY INPUT:

All candidates were solicited through Public Notice in the Posting Boxes and on the website.

BUDGET / STAFF IMPACT:

Each member is paid \$75 per Planning Commission meeting attended. This participation is an annually budgeted expense.

STRATEGIC PLAN ALIGNMENT:

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

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

RECOMMENDED ACTION OR PROPOSED MOTION:

Motion to approve three Commissioners (state names) and one Alternate Commissioner (state name) to serve on the Planning Commission through March 31, 2023.

ATTACHMENTS:

- Resolution 10 – Series 2021

**TOWN OF MINTURN, COLORADO
RESOLUTION NO. 10 – SERIES 2021**

**A RESOLUTION APPOINTING TOWN PLANNING
COMMISSIONERS**

WHEREAS, The Minturn Town Council has received a resignation from the Planning Commission and desires to fill these vacancies; and

WHEREAS, pursuant to Minturn Municipal Code Section 16.21.4(c), the planning commission is required to be appointed to overlapping terms; and

WHEREAS, the Town Council recognizes and appreciates the service and commitment of the planning commission members.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO THAT THE FOLLOWING INDIVIDUALS ARE HEREBY APPOINTED AS INDICATED:

NAME	TERM
_____	Through 3/31/23
_____	Through 3/31/23
_____	Through 3/31/23
_____	Through 3/31/23

INTRODUCED, READ, APPROVED, ADOPTED AND RESOLVED this 7th day of April, 2021.

TOWN OF MINTURN

By: _____
Mayor

ATTEST:

Town Clerk

TOWN OF MINTURN

Planning Commission Application

Thank you for expressing an interest to serve on the Town of Minturn's Planning Commission.

The Commission meetings twice monthly on the second and fourth Wednesday, at 6:30pm, in the Minturn Town Center Council Chambers (302 Pine Street, Minturn, CO) or virtually via Zoom.

Applicants must be residents of Minturn for a minimum of one (1) year, and a registered Minturn voter. To be ensured of appropriate consideration, please complete the following information. You may also include a letter of interest, or use additional pages/ attachments as needed. Applicants may be required to appear before Town Council for an interview.

Name: LYNN TEACH (2021)
Phone: (H) 827-4133 (W) 827-5508 (Cell) 471-3387
Email: N/A
Mailing Address: P0654 Minturn Co 81645
Physical Address: 253 Pine St 11

1. How long have you lived in Minturn? 38
INTERIOR PLANT MAINTENANCE
FLORAL DESIGN MINTURN BUSINESS OWNER 38yrs

Employee Housing Group

2. What is your occupation and/or background? Retail Gift Shop 12yrs
Planning Commission 16yrs - CHAIRMAN 7yrs.
MASTER PLANNING GROUP - COMMUNITY PLAN GROUP - CHAPTER 16

3. Are you currently serving on other community groups, boards, or commissions? If yes, please provide the name(s) of the organization(s), and length of time served.

SERVED ON EDAC WHICH I BELIEVE WE DO NOT HAVE ANYMORE (6yrs?)

4. What are some of the reasons you wish to serve on the Minturn Planning Commission? I ENJOY IT.

To continue the work on CHAPTER 16 & DESIGN REVIEW
Battle mtn. South - North Minturn, Dowd Junction
100 Block - Beldew Place - Boneyard Etc.
Being involved in the community I love

5. What is your "long range" vision for the Town of Minturn?

To see the town grow smartly - but keep its small town feeling & the character that brought us here and keeps us here.

6. What are the most important issues currently facing the Town of Minturn?

"Water" - Smart future development & growth
Improving the infrastructure
Being able to maintain our views
And wild life - Development of Dowd Junction - Electric lines

7. Please add any other additional comments that you would like to share.

Over the years on P&Z I have learned a lot about the history of the town and the special ~~town~~ community we live in. I have also learned what brings Eagle County guests to Minturn - we have a big challenge to keep Minturn Minturn - I would like to be part of that challenge - People enjoy us for what we have - That's a very special place to be.

Please mail, email, or deliver in person, all applications to:

Town of Minturn
Attention Madison Harris
PO Box 309
302 Pine St
Minturn, CO 81645

Phone: 970.827.5645 Ext. 2
Email: planner1@minturn.org

Thank you for your interest in the Town of Minturn Planning Commission.

TOWN OF MINTURN
Planning Commission Application

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Name: JENA LM SKINNER

Phone: (H) _____ (W) _____ (Cell) 970-331-9791

Email: jena_skinner@hotmail.com

Mailing Address: PO BOX 116, MINTURN, 81645

Physical Address: 922 MAIN STREET, MINTURN, 81645

1. How long have you lived in Minturn? 7.5 Years (Circa 07/13)

2. What is your occupation and/or background? Planning and graphic design

3. Are you currently serving on other community groups, boards, or commissions? If yes, please provide the name(s) of the organization(s), and length of time served.
MINTURN COMMUNITY FUND - Since 2019. WOMEN OF VISION - Since 01/19.
VAIL VALLEY THEATRE COMPANY - Board- 4 Years; Group- 12 Years

4. What are some of the reasons you wish to serve on the Minturn Planning Commission? Being on the Minturn PC allows me to support the greater Minturn community, which I have loved for several years. I also love land use, and have a great interest in the regulatory arena and it's interface with folks. The PC is my favorite way to be more involved with the citizens of Minturn and if I can help out community members, I help my neighbors.

5. What is your "long range" vision for the Town of Minturn?
 My biggest fear remains the displacement of locals due to lack of housing & inflated land prices, coupled with old homes needing replacement. I would like to see a range of housing styles and prices be available here. Further, I would like to see more economic development (expansion of sales tax base) happen resulting with new businesses coming to town.
6. What are the most important issues currently facing the Town of Minturn?
 Sustaining what is here is hard, and will not work. To be sustainable means that you can operate "as is" with what you have, or, with supplemental help, keep going. The most important issue I see is trying to find new ways to balance the existing town with the upcoming pressures of change and growth. How to keep the vibe in Minturn be Minturn, and promote new investment into the community. I still wish for the installation of street art.
7. Please add any other additional comments that you would like to share.
 I would really like to remain on the planning commission. #ILoveMinturn

.....
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Town of Minturn
 Attention Town Planner
 PO Box 309
 302 Pine St
 Minturn, CO 81645

Phone: 970.827.5645
 Fax: 970.827.5545
 Email: planner@minturn.org

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Name: Spence Neubauer

Phone: (H) N/A (W) N/A (Cell) 603-770-8456

Email: spence.neubauer@gmail.com

Mailing Address: PO Box 1253, Minturn, CO 81645

Physical Address: 444 Eagle River St, Minturn, CO 81645

1. How long have you lived in Minturn? 4 Years

2. What is your occupation and/or background? Stay-at-home Dad,
Small business owner (short term rental)

3. Are you currently serving on other community groups, boards, or commissions? If yes, please provide the name(s) of the organization(s), and length of time served.

N/A

4. What are some of the reasons you wish to serve on the Minturn Planning Commission? Town planning has obviously been a big issue for Minturn the past few years, with so many differing ideas on where the town should be headed. While it can be incredibly polarizing, I think there is a happy medium where responsible, thoughtful growth can help Minturn thrive for the long term. I would like be a part of that level-headed approach moving forward.

5. What is your “long range” vision for the Town of Minturn?

My long range vision for Minturn is a thriving mountain community while maintaining it’s current charm and feel of a small town. I would love to see a bustling downtown that extends through the 400 block with a population that can support it, yet everyone still knows one another. I also think there can be a balance of full-time residents, workforce housing, and visitors that keep Minturn a great home and an exciting destination.

6. What are the most important issues currently facing the Town of Minturn?

For the most part, Minturn is doing great! We love so much about it, but there are some things that need work. The town is working on a water solution, but with that comes enormous cost. The population base is small so costs are going up substantially, spread across few people. Growth is needed to help mitigate that, but some fight that tooth and nail. Going from 800 residents to even 1500 seems like a lot, but done right can still maintain the charm of a small town while decreasing tax burdens and increasing town vibrancy. In addition, the pandemic has shown the importance of needing more people to support Minturn’s local businesses.

7. Please add any other additional comments that you would like to share.

I consider myself a pragmatist that frequently sees the complexities and middle ground of problems. So many times do we all get caught up in the extremes of issues that we can lose sight of the humanity involved and work towards a compromise. I love it when both parties walk away feeling heard and with a solution they feel is fair. I try to bring these qualities to all aspects of my life - family, community, business - and I would bring that to the planning commission as well.



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Name: Brian Rodine

Phone: (H) _____ (W) _____ (Cell) 310-334-9990

Email: brodine@gmail.com

Mailing Address: PO Box 1601 Minturn CO 81645

Physical Address: 223 Boulder Street Minturn CO 81645

1. How long have you lived in Minturn? 1 yr 2 mo
2. What is your occupation and/or background? Marketing and sustainability
3. Are you currently serving on other community groups, boards, or commissions? If yes, please provide the name(s) of the organization(s), and length of time served.
Board, Vail Valley Mountain Trails Association (VVMTA) since 2016

4. What are some of the reasons you wish to serve on the Minturn Planning Commission? We are invested in this community and want to keep the values that attracted us here and improve where possible to make this the best place possible to raise a family, live, work, and play. I view these types of boards and posts as an opportunity for citizens to volunteer their time in order to make the community a better place.

5. What is your “long range” vision for the Town of Minturn?

Inhabited houses and multi family units surrounded by easily accessible public amenities,
a thriving locally owned small business oriented commercial core, outdoor recreation
connectivity, with policies and facilities that primarily serve the local population while
attracting and driving value from a purposeful amount of visitors.

6. What are the most important issues currently facing the Town of Minturn?

Major new developments and the impact on the community (traffic, absentee ownership,
municipal services, infrastructure, look and feel). Hwy 24 and potential rail impacts.
High real estate prices driving out full time residents and converting real estate to 2nd homes.
Walkability and connections across town providing fun and safe routes between homes,
parks, trails/outdoor rec, and businesses.

7. Please add any other additional comments that you would like to share.

Thanks for your consideration! While I may not have an official background in planning
or achitecture, I can offer an open mind, good intentions, and a pledge to read and engage
on topics.



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TOWN OF MINTURN

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Name: Elliot Hovey

Phone: (H) _____ (W) _____ (Cell) 978.376.6535

Email: elliott.hovey@gmail.com

Mailing Address: 301 Boulder Street #1174 Minturn, CO 81645

Physical Address: 653 Boulder Street Minturn, CO 81645

1. How long have you lived in Minturn? 4 years
2. What is your occupation and/or background? Construction & Ski Instructing
3. Are you currently serving on other community groups, boards, or commissions? If yes, please provide the name(s) of the organization(s), and length of time served.

None

4. What are some of the reasons you wish to serve on the Minturn Planning Commission?

Minturn is a small town with big projects on the horizon. I would like to be a part of the team that ensures the right decisions are made to best benefit the town residents today and the generations to come. Additionally, I would like to serve on the planning commission to listen and learn from the residents as well as the existing members of the committee.

5. What is your “long range” vision for the Town of Minturn?

My long range vision for Minturn is to become a place that harnesses and encourages our future’s greatest economic resource: human creativity. I want Minturn to attract and welcome a collaborative environment of residents who are artists, educators, entrepreneurs, designers, and builders of all things. Since I first moved here, I have seen a significant trend in this direction already. As a participant on the planning team I would like to ensure that this momentum keeps going.

6. What are the most important issues currently facing the Town of Minturn?

The top three most important issues in Minturn are sustainable growth, water resources, and preservation (environmental, historic, cultural). As a small community, I would like to take part in collaborative discussions about how we can move forward with innovative ideas. It excites me to see how Minturn can lead as a pioneer and role model in these areas for the rest of the valley.

7. Please add any other additional comments that you would like to share.

I have also attached my resume. Thank you for the opportunity!

.....
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Town of Minturn
Attention Madison Harris
PO Box 309
302 Pine St
Minturn, CO 81645

Phone: 970.827.5645 Ext. 2
Email: planner1@minturn.org

Thank you for your interest in the Town of Minturn Planning Commission.

ELLIOT HOVEY

Minturn, CO 81645

978-376-6535 (m) || elliot.hovey@gmail.com

QUICK HITS

A retired Olympic athlete (competing in Beijing and London Olympics in rowing), Elliot lives to find the best out of himself and the people around him. His approach to teamwork is to identify the strengths of individuals and motivate them to take those abilities to the maximum. A creative “out-of-the-box” thinker, he is unafraid of failure motivating everyone to take on projects and challenges with meticulous organization and always with a “helmet on.” He demands that everyone (including himself) must own and learn from their mistakes. Elliot is currently a PSIA certified ski instructor (Vail Resorts) and a seasonal apprentice to a general contractor and carpenter in Edwards, Colorado.

WORK EXPERIENCE

VAIL RESORTS (vail.com), Vail, CO – (11/2016-Present)

PSIA Certified Alpine (Level 2) Ski Instructor (Telemark, Freestyle, Children Specialist)
Assists with teaching/guiding guests on Vail mountain in both private and class lessons settings.

RBM CONTRACTING LLC, Minturn, CO – (09/2016-Present)

Construction Contracting (2,000+ hours of field experience)

Subcontractor involved with general labor, demolition, carpentry, business development, and property management. Contracts have been with ECE Design | Build (Minturn), IDS Consulting (Avon), Redstone (Minturn), and Coating Systems Inc. (Loveland)

BROOKS SCHOOL (brooksschool.org), North Andover, MA – (9/2016-5/2017)

Student Learning Center Assistant & Head Boys Rowing Coach

Assists with student’s needs in cultivating skills to help study for tests and manage their time to plan for long term projects. Specializes in history, art history, creative writing, and student project planning. Additionally manages and leads 35+ boys through a disciplined rowing program demanding college level standards of execution and organization.

UBER TECHNOLOGIES (uber.com), Boston, MA – (12/2013 – 1/2016)

Marketing & Business Development/Community Manager

Hired as an assistant with the overall start-up operations of Uber in the city of Boston as one of the first 11 employees. Initially, wrote / designed blogs and managed customer support. Maintained demand/supply growth by establishing and maintaining event / marketing partnerships as well as PR initiatives partnering with the NAACP and other local non-profits in Boston and Providence. Expanded the business throughout New England to scale growth in remote markets partnering with event management companies and leveraging a New England wide brand ambassador program.

EDUCATION

BA (American Studies) - University of California, Berkeley (12/2007)

SKILLS

Office: Microsoft Office (Word, Excel)

Google: Gmail, Docs, Presentation, Forms, Calendar, Mail-Merge communications

Networking/Marketing: Google+, LinkedIn, Facebook, Twitter, Skype, Zoom, Doodle, Mail Chimp

Design: Illustrator

Support: Zendesk

PROFESSIONAL REFERENCES:

Dominic Camillaci (Vail Ski School Supervisor)

Currently a supervisor in Lionshead Ski School. We worked together as peer instructors as well as my direct report.

dccamillaci@vailresorts.com

(585) 208-7826

Matt Hansen (General Contractor - ECE Design-Build)

Matt oversees the overall operations as the licensed GC to ECE Design-Build - a master carpenter and architect.

Matt@ecedb.com

970-401-1100

Dimitry Doohovskoy (Operations Manager, Uber Technologies)

Dimitry and I worked together on marketing projects when in Boston (#UBERICECREAM and supply growth initiatives).

Ddskoy@gmail.com

978-835-1637

Tote Smith (Mathematics Teacher at Brooks School)

Tote oversees the overall rowing program operations as the Director of Rowing.

tsmith@brooksschool.org

860-671-1231

PERSONAL REFERENCES:

Averill Hovey MA, LPC, EMDR, RYT (sister)

Averill is an ex-elementary school teacher, now art therapist/ substance use prevention specialist who works with middle school students for Denver Public Schools.

averillhovey@gmail.com

720-333-6388

I am happy to offer additional references upon request.

TOWN OF MINTURN

Planning Commission Application

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Name: Tom Priest

Phone: (H) _____ (W) _____ (Cell) 850-525-5026

Email: tandfpriest@hotmail.com

Mailing Address: PO Box 993 Minturn, CO 81645

Physical Address: 120 E Lions Ln, Minturn, CO 81645

1. How long have you lived in Minturn? 2yrs, 9 mos

2. What is your occupation and/or background? Pilot(US State Dept/DOD) /Lieutenant Colonel USMC(Retired)

3. Are you currently serving on other community groups, boards, or commissions? If yes, please provide the name(s) of the organization(s), and length of time served. VP Minturn Townhomes HOA. Recently elected

4. What are some of the reasons you wish to serve on the Minturn Planning Commission?

Minturn is our home. After years of moves associated with military orders, Minturn is our final stop. I want to make sure Minturn keeps its identity and character while meeting the continual needs of our adopted home town.

5. What is your "long range" vision for the Town of Minturn?

As noted in para.4 – maintain Minturn's identity, while at the same time addressing deficiencies such as water sources and distribution. Development and redevelopment of various areas within town and adjacent properties. Bottom line: smart, common sense direction and decision.

6. What are the most important issues currently facing the Town of Minturn?

1. Water distribution system/sources
2. Development of "North Minturn" (Taylor/Minturn Rd)
3. Ongoing challenges with Battle Mountain development
4. Traffic density
5. Efforts to restart Tennessee pass line
6. Keeping Minturn Happy

7. Please add any other additional comments that you would like to share.

Myself and my family (Father) have been involved in every aspect of land/urban planning, zoning, developing, maintaining and preservation for over 60 years. From HUD, DoD base realignment and closures to mountain community/neighborhood HOA and water district challenges in Tahoe City/Alpine Meadows and Squaw Valley, I have been exposed or been involved in a myriad of situations that I believe will augment my ability to participate and support planning commission efforts.

Please mail, email, or deliver in person, all applications to:
Town of Minturn Attention Madison Harris PO Box 309 302 Pine St Minturn, CO 81645

Phone: 970.827.5645 Ext. 2

Email: planner1@minturn.org

Thank you for your interest in the Town of Minturn Planning Commission.

Town of Minturn
Attn: Madison Harris

Tom Priest
PO Box 993
Minturn, CO 81645

To: Minturn Town Council

I would like to express my strong desire to join my fellow Minturn residents on the Minturn Planning Commission. It would be an honor to serve my fellow citizens by having an impact on maintaining the character and identity of Minturn while simultaneously addressing critical needs that will sustain Minturn for many generations to come.

I have served my community and country for over 32 years. I am retired Lieutenant Colonel(USMC) and continue to support flight contracts for Departments of State and Defense. We have lived throughout the U.S. and Europe and I have deployed throughout the world. This experience has given me an inherent ability to work with a broad and diverse spectrum of people who represent a vast list of perspectives and agendas.

I have served in billets that dealt with massive realignment, closures and relocations of bases and personnel distributed throughout 92 nations. I have served as a Homeowners Association President in the Panhandle of Florida, dealing with a list of issues associated with hurricanes, improper development and developing resilient utility distribution and building codes to meet future challenges. I am currently serving as the Minturn Townhome HOA VP, a development with a long list of past challenges associated with ethically questionable developers. Myself and my family (Father) have been involved with smart development, planning, preservation and sustainment of property and communities for over 60 years.

Minturn is faced with some extraordinary challenges as we move into an unprecedented era of development and growth for the entire valley. We have an extraordinary list of challenges before us: The continued negative impacts of the Gilman mine on our water source options; Repair and expansion of water distribution system; and simultaneous pressure from entities such as Battle Mountain Development; development of "North Minturn"; rumblings of resurrecting the Tennessee Pass line. These are tremendous challenges by themselves let alone as a collective list for a small town such as Minturn.

I look forward to taking on these challenges head on with precision and common sense.

Regards
Tom Priest

Michelle Metteer
Town Manager
301 Boulder St #309
Minturn, CO 81645
970-827-5645 x8
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

TOWN MANAGER UPDATE

April 7, 2021

Minturn Water Supply Plan

Minturn's current water supply plan is from 2005. Since then, much has changed in various segments that make up the dated plan. The Town's water infrastructure, specifically the water treatment plant, can not produce water at the levels assumed in the old plan, this combined with the increased restrictions imposed on Minturn's water rights, climate change/Cross Creek volumetric levels, increased water efficiency and increasing calls on the Colorado and Eagle Rivers necessitate an update to the 16-year-old plan. The Town Manager's office has commissioned Martin & Wood, creators of the original plan, to provide an update. The approved proposal for the updated work is included with this manager report.

Minturn Fitness Center (MFC)

MFC staff and board members continue efforts for improving the public experience at the Minturn Fitness Center. In preparation of the upcoming MFC board meeting, a survey of public members was conducted to gauge the level of satisfaction with the facility. That survey as well as a list of the ongoing efforts by staff to improve the public experience, are included with this manager report for review.

2021 Street Sweeping Schedule

It's almost that time again. The street sweeper was ordered last fall and is reserved for use in Minturn during the month of May. We ask residents to please work with the public works staff to have your vehicle removed prior to your street's scheduled sweeping date. The schedule will be going out in the April newsletter and also posted to the town website. Street signs will also be placed in advance of the date for no street parking due to maintenance. The street sweeping schedule has been included for review.

Eagle Park Reservoir Emergency Action Plan Tabletop Exercise

I participated with approximately 70 other stakeholders in a tabletop exercise simulating a breach at the Eagle Park Reservoir Dam. Due to covid and having to conduct the exercise online it was a downscaled, 4-hour exercise and covered only the big-picture items. I will not go into details however a few key points are included for reference. If any Council members would like to review the Emergency Action Plan, please let me know.

This data is simulated in the conditions of a sunny day, with the dam at maximum capacity:
time from dam breach to town evacuation: 3 hours 21 minutes, peak water flow: 18,566 cfs,
water wall height: approximately 17'.

Downtown Colorado Inc. (DCI) – 2021 Challenge Town Process

Staff is reviewing the process necessary to apply to become a [DCI Challenge Town](#) in 2022. This opportunity would provide resources to the town of Minturn in identifying the interest for downtown business owners and the Minturn public toward creating a more robust and sustainable downtown business community. One of the ways this might be achieved is through the creation of a [Downtown Development Authority](#). This would allow a revenue source, through the redistribution of property taxes in the downtown area, to begin investments in the downtown. This is in line Minturn's strategic goals of *Sustain and invest in the things that define Minturn as a proud, sturdy mountain town* to *"keep Minturn Minturn"* and *Advance decisions/projects/initiatives that expand future opportunity and viability for Minturn Minturn*.

WaterNow Alliance Virtual Summit

I will be participating (virtually) in the WaterNow Alliance Summit next week. Although I am unable to attend all of the session I am particularly looking forward to the "Federal Funding Networking Lounge" where representatives from the State Revolving Fund will be in attendance. I'll also be attending a "Water Infrastructure Finance and Innovation Act (WIFIA) Loans 101 Class – more to come on that.



March 23, 2021

Ms. Michelle Metteer
Town Manager
Town of Minturn
301 Boulder Street, #309
Minturn, CO 81645
Manager@Minturn.org

Delivered via email

Re: Proposal and Scope of Work -
Water Supply Plan for Minturn

Dear Ms. Metteer:

Martin and Wood Water Consultants, Inc. (M&W) is pleased to present this proposed scope of work and budget for engineering and water planning consulting services to provide the Town of Minturn (Minturn) with a Water Supply Plan to guide decisions regarding Minturn's water supplies and related considerations.

M&W has worked with Minturn on water planning and water rights operations since the early 2000s, and over this time, a series of engineering and planning analyses have been prepared. Overall, M&W proposes to prepare a Water Supply Plan that compiles past work and updates past work with planning assumptions that are both consistent across the analyses and current. As part of this project, M&W will identify gaps (if any) in Minturn's water planning and will propose additional analyses if needed.

Scope of Work

This project will involve the following three tasks with the ultimate objective of creating a Water Supply Plan for the Town.

1. Review of Past Work. Under this task, M&W's past work will be reviewed to identify any updates needed to match current planning criteria regarding indoor and outdoor water use and consideration of existing and anticipated water supplies (along Cross Creek and the Eagle River). The past work by M&W includes the following analyses which have been conducted primarily in the last 10 years with assumptions that have varied over time.
 - Winter-time physical supply limitations
 - Eagle River augmentation supply assessment

- Growth supported under various water demand and augmentation scenarios
 - Impacts of CWCB's instream flow water rights
 - System loss over time
 - Consideration of multiple water supplies available in the area
 - Groundwater evaluations in the Dowd Junction area
2. Water Supply Plan. The past work, updated as needed, will be compiled into a single Water Supply Plan which provides a comprehensive document including information on the physical supply of local water, augmentation water supplies, legal limitations (such as the consumptive use limits on the Town's water rights), an evaluation of growth at various levels to be supplied by Minturn's water rights, and system loss information. If any additional water planning analyses are identified that we think would be helpful to Minturn, the recommended analyses and related information will be included in a section of the plan.
3. Presentation of Water Supply Plan to Town: M&W staff will present the Water Supply Plan to Town staff and attorneys in a virtual meeting and will circulate a draft for review. Following review, M&W staff will incorporate any comments and finalize the plan. The plan can then be used by Minturn as determined appropriate.

Project Cost and Schedule

It is estimated that the total cost for these tasks is \$19,800. Billing will occur monthly at M&W's standard rates and will be based on actual time and materials associated with the project.

M&W is available to draft a Water Supply Plan within four weeks of receiving approval for this proposal. The draft Water Supply Plan can be finalized within approximately two to three weeks of receiving comments back from the Town.

If this scope of work and budget are acceptable, please let me know in writing (email is fine) and we will proceed with the work. Please contact me at your convenience to discuss this further if you have any questions. I can be reached by phone at (720) 836-6566 or by email at cradabaugh@martinandwood.com.

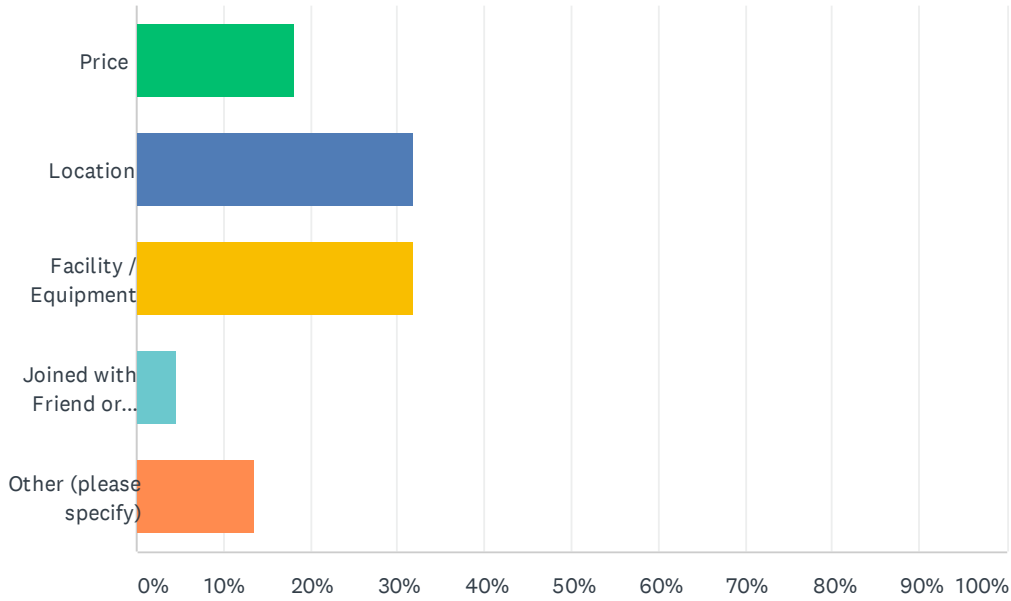
Sincerely,
**MARTIN AND WOOD
WATER CONSULTANTS, INC.**



Cristyn R. Radabaugh, P.E.
Vice President

Q1 What was your primary reason for joining the MFC?

Answered: 22 Skipped: 0

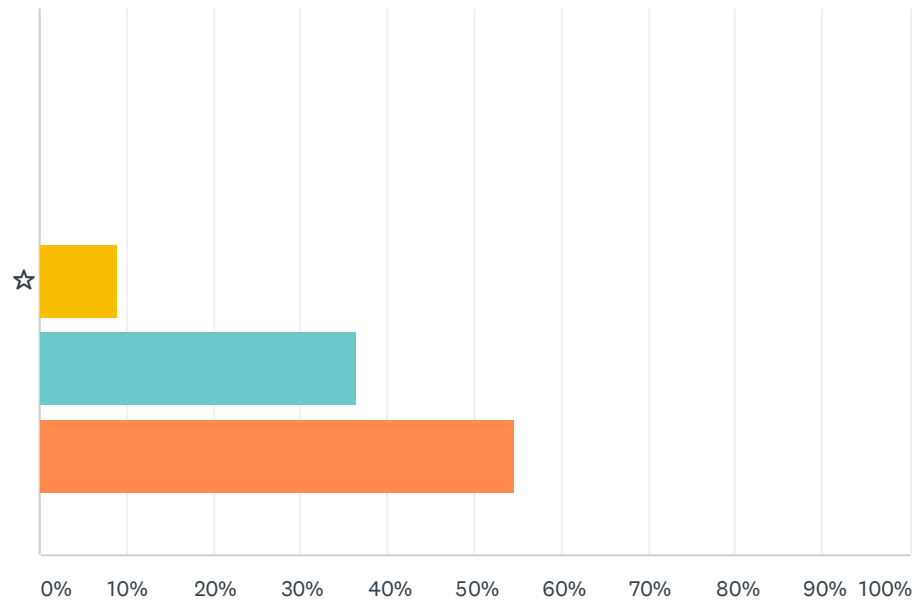


ANSWER CHOICES	RESPONSES
Price	18.18% 4
Location	31.82% 7
Facility / Equipment	31.82% 7
Joined with Friend or Family Member	4.55% 1
Other (please specify)	13.64% 3
TOTAL	22

#	OTHER (PLEASE SPECIFY)	DATE
1	Minturn Local gym for Minturn resident :)	3/23/2021 5:18 PM
2	joining?	3/16/2021 6:27 PM
3	All of the above	3/16/2021 3:01 PM

Q2 How likely are you to recommend the MFC to a friend or family member?

Answered: 22 Skipped: 0

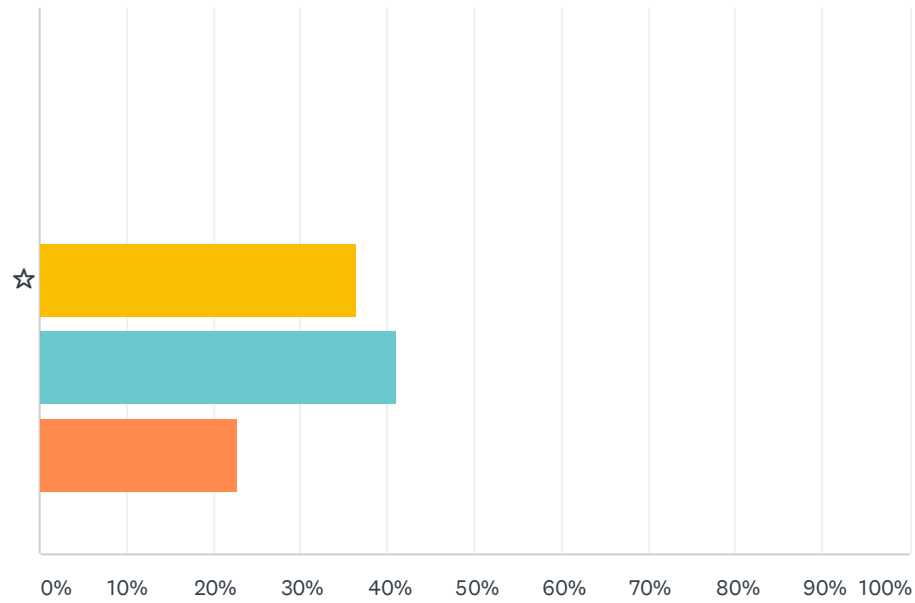


■ 1
 ■ 2
 ■ 3
 ■ 4
 ■ 5

	1	2	3	4	5	TOTAL	WEIGHTED AVERAGE
☆	0.00% 0	0.00% 0	9.09% 2	36.36% 8	54.55% 12	22	4.45

Q3 How would you rate the value of your membership for the price paid?

Answered: 22 Skipped: 0

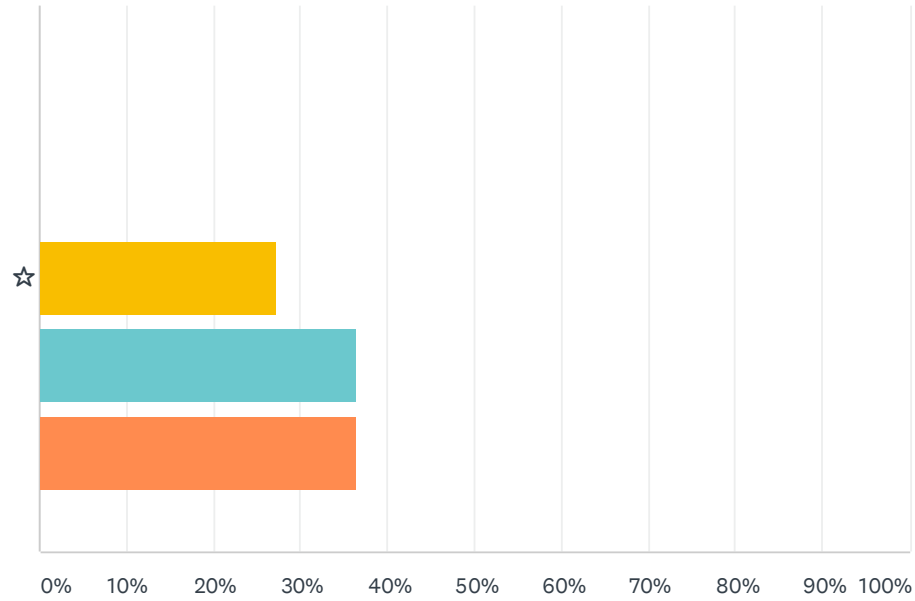


■ Poor
 ■ Fair
 ■ Good
 ■ Great
 ■ Excellent

	POOR	FAIR	GOOD	GREAT	EXCELLENT	TOTAL	WEIGHTED AVERAGE
☆	0.00% 0	0.00% 0	36.36% 8	40.91% 9	22.73% 5	22	3.86

Q4 How would you rate the overall quality of the facility?

Answered: 22 Skipped: 0



■ Poor
 ■ Fair
 ■ Good
 ■ Great
 ■ Excellent

	POOR	FAIR	GOOD	GREAT	EXCELLENT	TOTAL	WEIGHTED AVERAGE
☆	0.00% 0	0.00% 0	27.27% 6	36.36% 8	36.36% 8	22	4.09

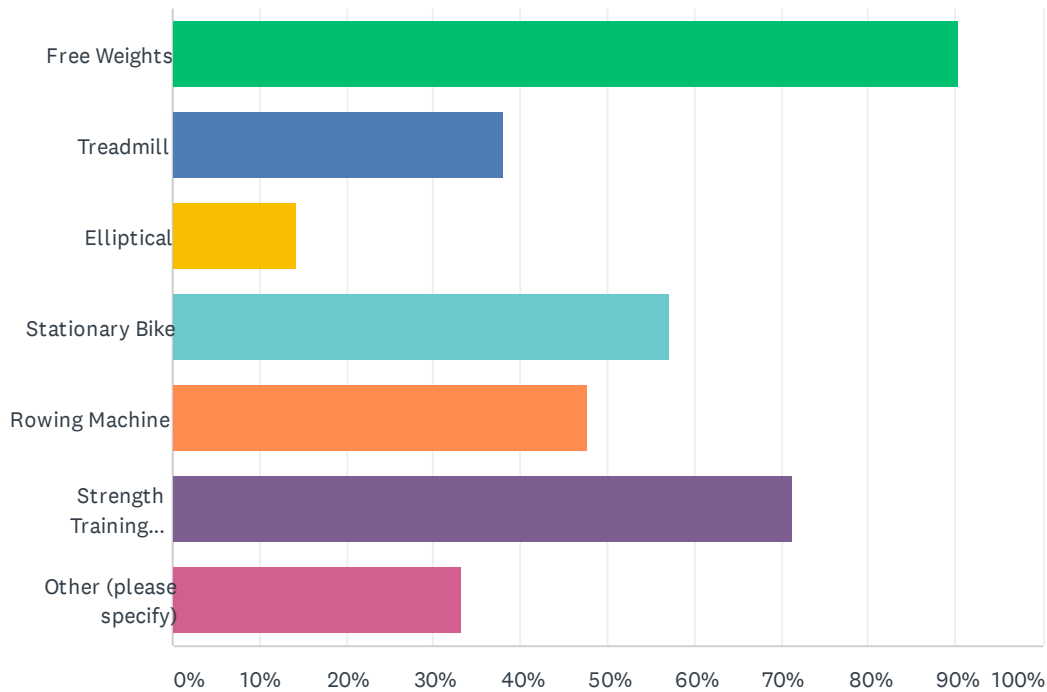
Q5 Would you like to add any comments regarding the facility itself?

Answered: 11 Skipped: 11

#	RESPONSES	DATE
1	Could use some more equipment that you would see in a traditional gym, additionally there could be better emphasis on keeping the facility as clean as possible.	3/23/2021 5:18 PM
2	looking forward to increased hours of operation on the weekends. Hoping that happens as covid loosens its grip on us.	3/17/2021 11:40 AM
3	Thank you to all the friendly staff for keeping the place clean and open!	3/17/2021 8:25 AM
4	Open earlier we would like 5 am start most days if possible. Gym is very nice overall and 2 ladies who run it are very friendly. At least open on Mondays at 630 too.	3/16/2021 9:43 PM
5	A step mill would be a great additional piece of cardio equipment	3/16/2021 3:05 PM
6	Just keep going in the current direction of improvement and involvement of the community	3/16/2021 2:30 PM
7	Some new/different machines would be great	3/16/2021 1:39 PM
8	It would be great if open gym started earlier in the mornings for those of us having to be at work by 8 am!	3/16/2021 1:31 PM
9	Could use a leg extension machine	3/16/2021 1:12 PM
10	Yoga classes would be amazing.	3/16/2021 1:10 PM
11	The locker rooms are too small.	3/16/2021 12:49 PM

Q6 What equipment do you primarily use at the MFC (Select All That Apply)

Answered: 21 Skipped: 1

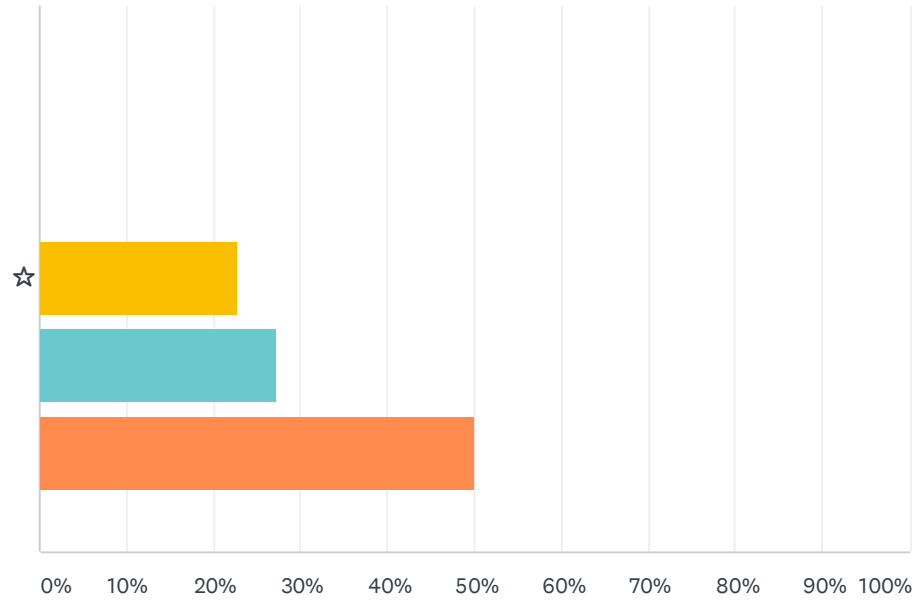


ANSWER CHOICES	RESPONSES	
Free Weights	90.48%	19
Treadmill	38.10%	8
Elliptical	14.29%	3
Stationary Bike	57.14%	12
Rowing Machine	47.62%	10
Strength Training Equipment such as Pull-up Bar, Dip Bar, etc	71.43%	15
Other (please specify)	33.33%	7
Total Respondents: 21		

#	OTHER (PLEASE SPECIFY)	DATE
1	Medicine balls, kettle bells, TRX	3/23/2021 5:18 PM
2	Keiser cable machines	3/23/2021 7:40 AM
3	The TRX equipment	3/19/2021 7:19 AM
4	Slam balls, step boxes, resistance bands	3/17/2021 8:25 AM
5	Ropes	3/16/2021 3:01 PM
6	Cables	3/16/2021 1:39 PM

Q7 How would you rate the quality of the equipment at the MFC?

Answered: 22 Skipped: 0

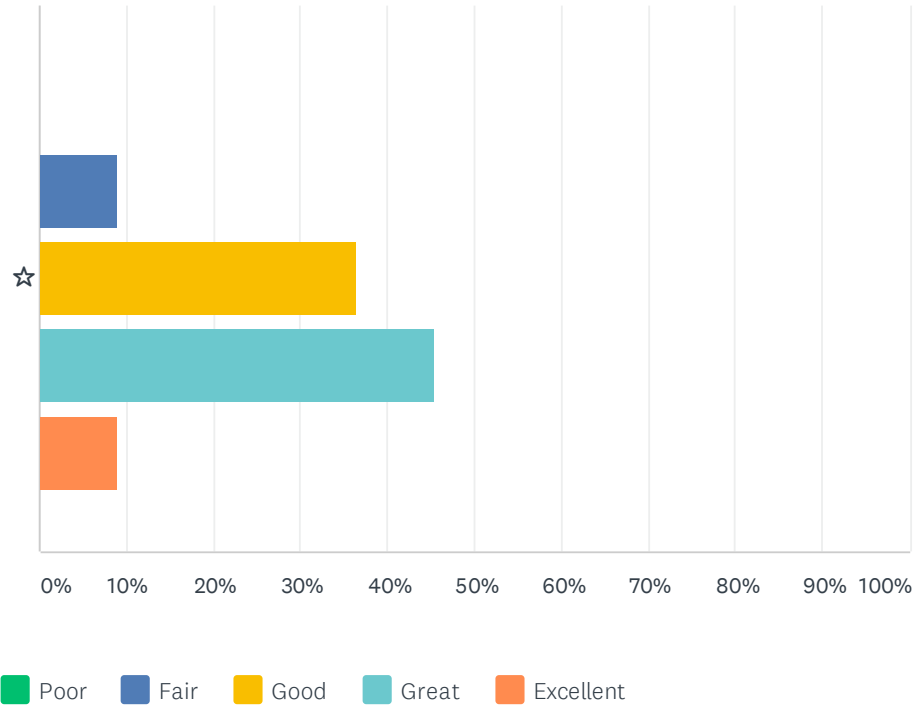


■ Poor
 ■ Fair
 ■ Good
 ■ Great
 ■ Excellent

	POOR	FAIR	GOOD	GREAT	EXCELLENT	TOTAL	WEIGHTED AVERAGE
☆	0.00% 0	0.00% 0	22.73% 5	27.27% 6	50.00% 11	22	4.27

Q8 How would you rate the variety of equipment at the Minturn Fitness Center

Answered: 22 Skipped: 0



	POOR	FAIR	GOOD	GREAT	EXCELLENT	TOTAL	WEIGHTED AVERAGE
☆	0.00% 0	9.09% 2	36.36% 8	45.45% 10	9.09% 2	22	3.55

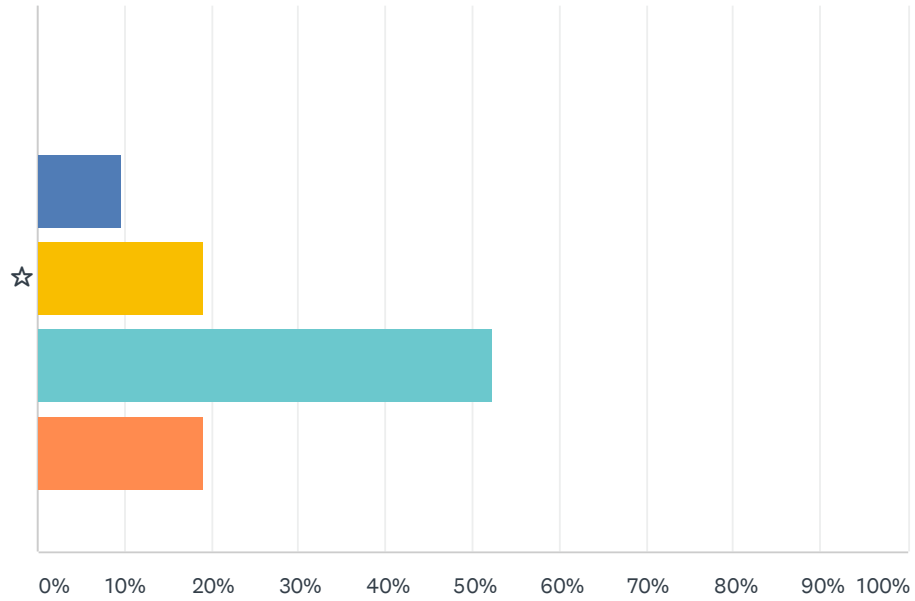
Q9 Please provide any comments or recommendations regarding gym equipment

Answered: 13 Skipped: 9

#	RESPONSES	DATE
1	More equipment you would find at a traditional gym, the leg machine area in particular. We are LACKING for leg day!!	3/23/2021 5:18 PM
2	Could use another bench for the area with squat racks.	3/23/2021 7:40 AM
3	My only request would be a "proper" pull-up bar as opposed to the handles built into the squat racks.	3/17/2021 8:25 AM
4	It would be nice for newer members to have a tutorial on equipment since the equipment is so advanced.	3/16/2021 9:43 PM
5	I wish there were more cardio options and more weight lifting machines.	3/16/2021 5:27 PM
6	See above re: step mill	3/16/2021 3:05 PM
7	Need more elliptical type machines and less treadmills	3/16/2021 3:01 PM
8	One more concept 2 rower and 1 or 2 concept 2 ski ergs will round out the cardio and provide enough pieces to utilize effectively for classes with multiple stations. Additionally the ski ergs are beneficial as an augmentation to Maloit Park Cross country course and VSSA x-ctry team training	3/16/2021 2:30 PM
9	A leg extension and ham curl machine would be a great addition	3/16/2021 1:39 PM
10	See above	3/16/2021 1:12 PM
11	Would like to see a stair stepper	3/16/2021 1:10 PM
12	Very adequate	3/16/2021 1:10 PM
13	Need more ellipticals, and at least one more rowing machine.	3/16/2021 12:49 PM

Q10 How would you rate the online reservation system?

Answered: 21 Skipped: 1



■ Poor
 ■ Fair
 ■ Good
 ■ Great
 ■ Excellent

	POOR	FAIR	GOOD	GREAT	EXCELLENT	TOTAL	WEIGHTED AVERAGE
☆	0.00% 0	9.52% 2	19.05% 4	52.38% 11	19.05% 4	21	3.81

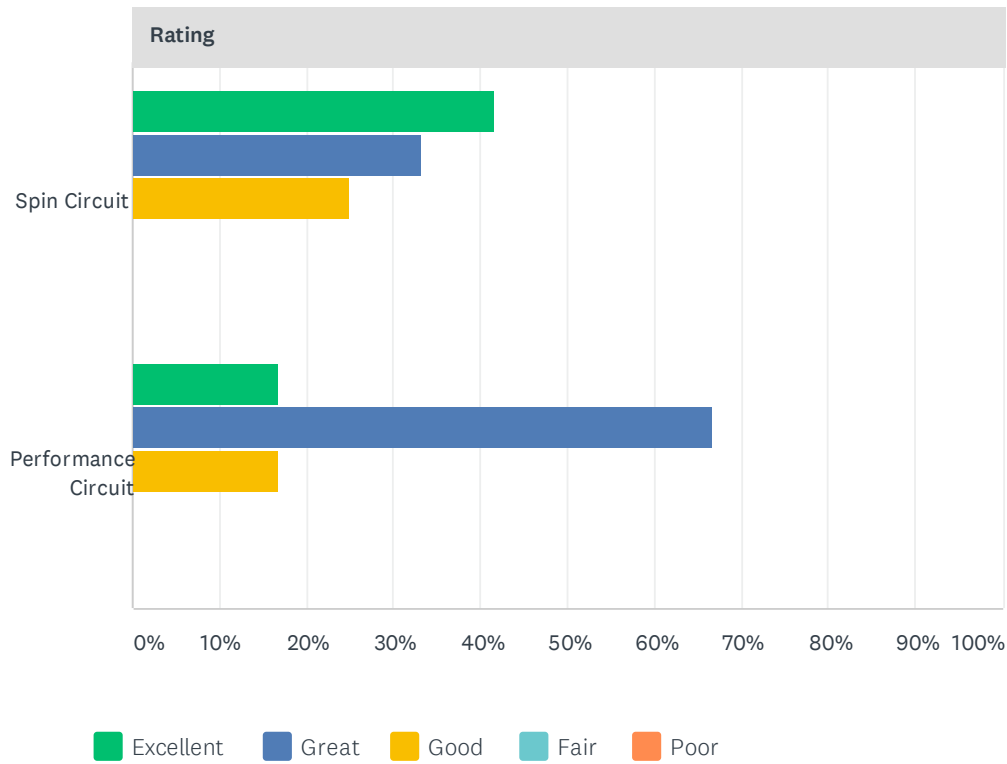
Q11 Would you like to add any comments about the online reservation system?

Answered: 8 Skipped: 14

#	RESPONSES	DATE
1	I haven't used it. I go to the 6:30 spin/circuit class	3/30/2021 6:18 PM
2	Do away with the reservation system. The gym is big enough and other gyms don't use a reservation system.	3/30/2021 3:13 PM
3	No, the reservation system is perfectly adequate.	3/17/2021 8:25 AM
4	No	3/16/2021 9:43 PM
5	NA	3/16/2021 3:05 PM
6	Will be great when we don't have to use it anymore	3/16/2021 2:30 PM
7	None	3/16/2021 1:12 PM
8	No	3/16/2021 1:10 PM

Q12 How would you rate the quality of classes currently being offered?

Answered: 12 Skipped: 10



Rating						
	EXCELLENT	GREAT	GOOD	FAIR	POOR	TOTAL
Spin Circuit	41.67% 5	33.33% 4	25.00% 3	0.00% 0	0.00% 0	12
Performance Circuit	16.67% 1	66.67% 4	16.67% 1	0.00% 0	0.00% 0	6

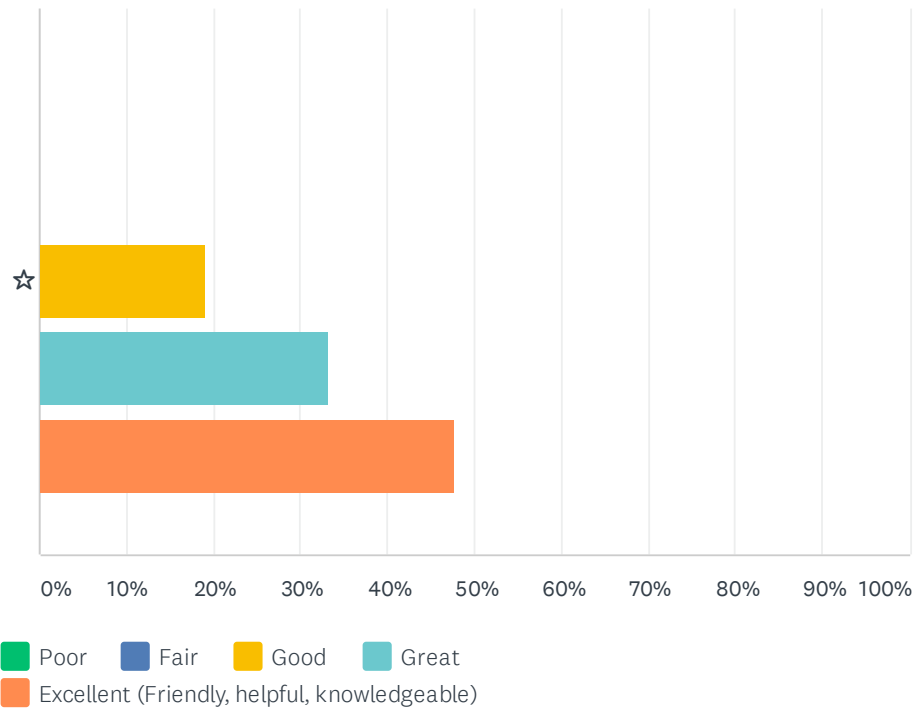
Q13 What other types of classes would you like to see offered?

Answered: 11 Skipped: 11

#	RESPONSES	DATE
1	Yoga	3/30/2021 6:18 PM
2	yoga	3/17/2021 11:40 AM
3	I do not have any ideas for this.	3/17/2021 8:25 AM
4	Hiit	3/16/2021 9:43 PM
5	I would like to see classes offered at more times and on different days (not just Tuesdays and Thursdays). I would love a pilates class or TRX class.	3/16/2021 5:27 PM
6	None	3/16/2021 3:05 PM
7	Continue to work back towards frequency and type of circuit/conditioning classes offered prior to covid	3/16/2021 2:30 PM
8	Yoga TRX	3/16/2021 1:31 PM
9	None	3/16/2021 1:12 PM
10	Yoga class	3/16/2021 1:10 PM
11	Yoga!!!!!!!!!!!!!!	3/16/2021 1:10 PM

Q14 How would you currently rate the customer service that you receive at the MFC?

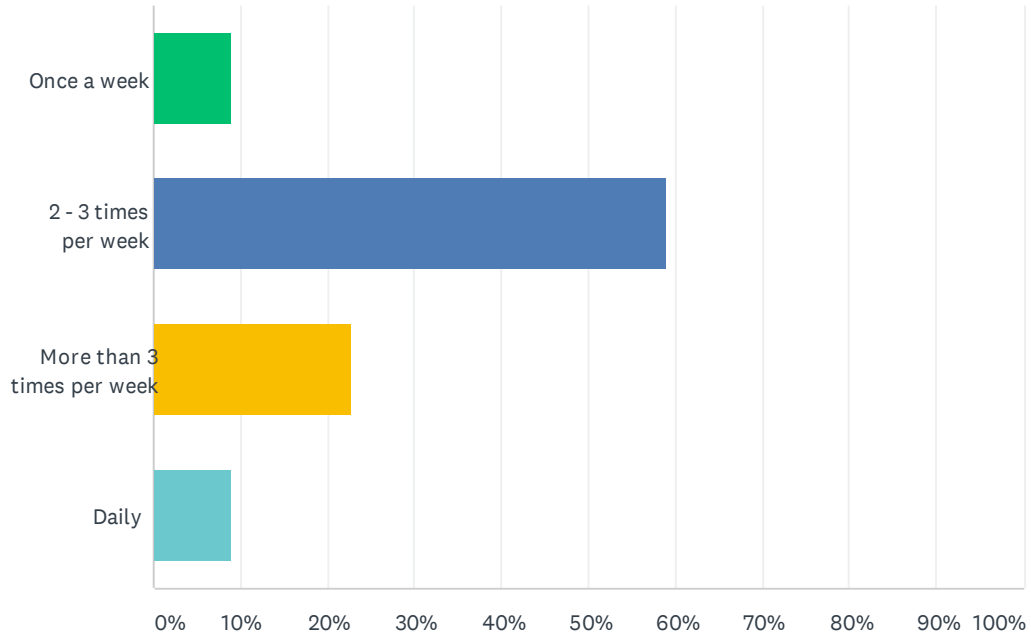
Answered: 21 Skipped: 1



	POOR	FAIR	GOOD	GREAT	EXCELLENT (FRIENDLY, HELPFUL, KNOWLEDGEABLE)	TOTAL	WEIGHTED AVERAGE
☆	0.00% 0	0.00% 0	19.05% 4	33.33% 7	47.62% 10	21	4.29

Q15 How many times a week do you typically go to the gym?

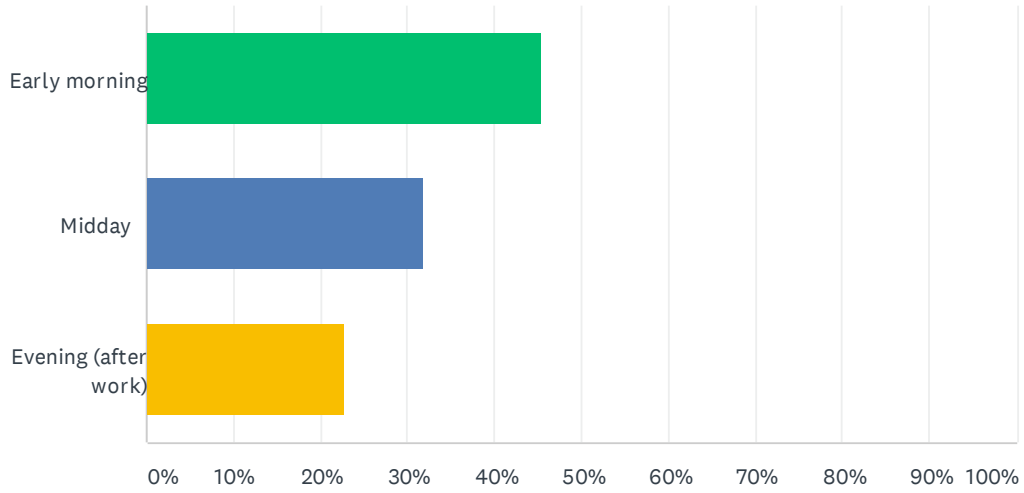
Answered: 22 Skipped: 0



ANSWER CHOICES	RESPONSES
Once a week	9.09% 2
2 - 3 times per week	59.09% 13
More than 3 times per week	22.73% 5
Daily	9.09% 2
TOTAL	22

Q16 What times of day do you prefer to work out?

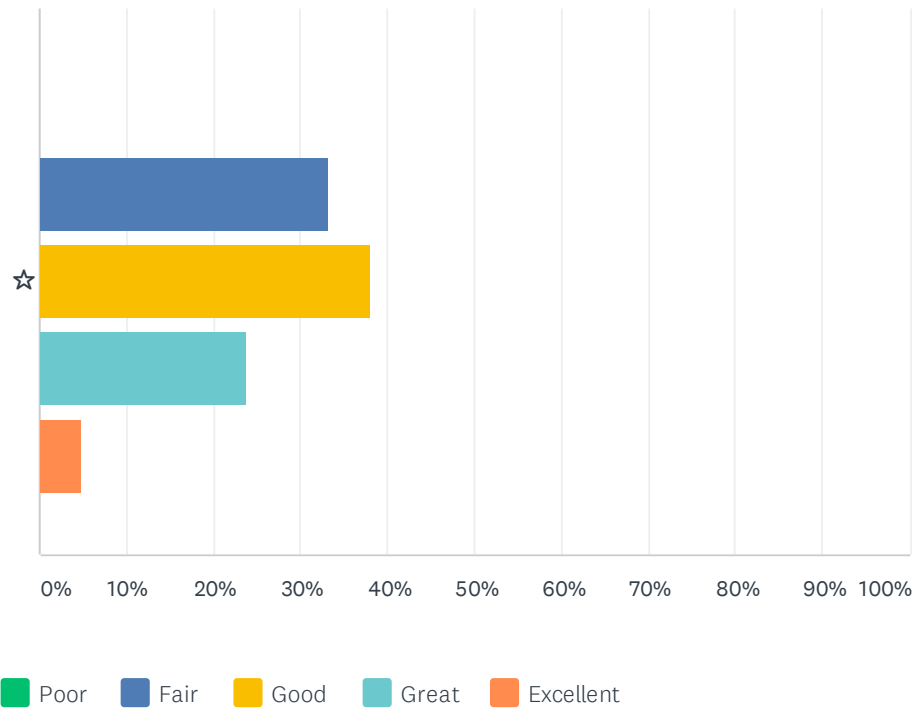
Answered: 22 Skipped: 0



ANSWER CHOICES	RESPONSES
Early morning	45.45% 10
Midday	31.82% 7
Evening (after work)	22.73% 5
TOTAL	22

Q17 How would you rate the current volume and variety of open gym times being offered?

Answered: 21 Skipped: 1



	POOR	FAIR	GOOD	GREAT	EXCELLENT	TOTAL	WEIGHTED AVERAGE
☆	0.00% 0	33.33% 7	38.10% 8	23.81% 5	4.76% 1	21	3.00

Q18 Would you like to add any comments or suggestions regarding open gyms?

Answered: 13 Skipped: 9

#	RESPONSES	DATE
1	I don't do open gym, so I can't comment	3/30/2021 6:18 PM
2	It should always be open gym	3/30/2021 3:13 PM
3	Could have afternoon spots on weekends, the scheduling is not great for working folks on weekends. Additionally, there could be a late offering 5 days a week in addition to the early evening offering. Just yesterday the 5:30 offering on 3.22 had 16 people. Curious if the numbers would be that high if there was a late night offering from 8-9:30.	3/23/2021 5:18 PM
4	It would be nice if there were an additional morning slot between the current morning and afternoon sections but not a deal breaker.	3/23/2021 7:40 AM
5	I'd love to see some evening or afternoon times on weekends	3/17/2021 11:40 AM
6	I appreciate the current open gym times. Even with my work schedule, I am able to get in at almost any point in the day.	3/17/2021 8:25 AM
7	Open earlier if possible. Hard to work out 630-8 and make it to work on time	3/16/2021 9:43 PM
8	Evening or afternoon hours on Saturday and Sunday	3/16/2021 3:01 PM
9	9am is my preferred time to workout, but I understand the competing requirements for VSSA during the season. Once the season is over and we transition into summer, regular morning hours should be available for public vice 0630	3/16/2021 2:30 PM
10	Longer sessions on Mondays and early morning would be better but no complaints	3/16/2021 1:39 PM
11	Starting open gym at 5:30 am or 6:00 am for access before work	3/16/2021 1:31 PM
12	None	3/16/2021 1:12 PM
13	No	3/16/2021 1:10 PM

Q19 Would you like to add any other general comments or feedback regarding the MFC?

Answered: 9 Skipped: 13

#	RESPONSES	DATE
1	I'd like to see some yoga or stretching classes. Something that's not geared for the aggressive and young athlete	3/30/2021 6:18 PM
2	Things have grown in the right direction exponentially since September. Bring in some new equipment and expand open gym times and we will kick the snot out of every gym in town!	3/23/2021 5:18 PM
3	THANK YOU!!! So great to have this facility in Minturn :)	3/17/2021 11:40 AM
4	Thank you!	3/17/2021 8:25 AM
5	Happy so far!	3/16/2021 9:43 PM
6	Covered	3/16/2021 2:30 PM
7	None	3/16/2021 1:12 PM
8	Amie is a great class teacher!	3/16/2021 1:10 PM
9	No. Thanks for being (and staying) open! It has been integral to have a local gym available for me to rehab a repaired ACL during COVID.	3/16/2021 1:10 PM

MFC Projects, Policies and Other Improvements:

Surveys

- Member survey completed
- Plan to conduct a Non-member survey at a later date to gauge what residents are looking for (how to grow membership)

Programs and Policies

- Rates - Lower Rates are helping to grow membership. We are averaging 2 - 3 new member sign-ups per week.
- Expanded Open Gym times also having a positive effect on memberships.
- Volunteer / Trade Program implemented (completed). Program is going very well, we currently have 5 participants in this program.
- Member Referral Program - Being rolled out later this month (April 2021)
- Working on new tiered, corporate rates (previously was one flat corporate rate regardless of the number of employees). - In progress
- No Show Policy Implemented
- Monthly Email Newsletter with Important Updates and Announcements being rolled out later this month (April 2021)
- Implemented a new member welcome email (completed)
- Updated confirmation emails with more detailed & accurate information (completed)
- Implemented cutoff times for certain classes as appropriate, to allow for proper planning
- Weekly MFC Staff Meeting Occuring, with presence by Town of Minturn (Cindy Krieg)
- Implementing a Quarterly All-Staff Meeting (to include volunteer / trade staff), first meeting to be held later this month (April 2021)
- Working on a gym orientation with staff, so staff are better equipped to handle questions from members

Documents

- Member Agreement and other documents moved to Google Docs for easy updating, and for translation to Spanish (document translations in progress)

Marketing:

- Continuing to include MFC updates in Town newsletter

Increase Social Media Presence:

- Promoting new lower rates and expanded open gym times
- Promote personal training
- Focus on Instagram and Facebook. Delete Twitter account

Other:

- Reporting
 - Weekly Membership Totals Report
 - Bi-Weekly Open Gym Attendance Report
- Utilizing both front and rear entrance of MFC, to provide convenience (and safety in winter months) for members
- Updates to manager duties
- Updates to how-to guides in binder

STREET SWEEPING SCHEDULE TOWN OF MINTURN May 2021

April 29 2021 sweeper is scheduled to arrive at public works

May 3 Town entrance, Bellm Bridge, North Main, Railroad Ave

May 4 Taylor Street, East Main Street 100-200 block, North Eagle Street

May 5 Toledo Ave, West Main 100-200 block

May 6 Nelson Avenue, Molly G Parking, Williams Street, Market Area

May 7 East Main Street 300-400 block, Harrison Avenue, South Eagle Street, East Meek Avenue

May 10 West Main 300-400 block, West Meek Avenue

May 11 East Main Street 300-400 block, East Mann Avenue

May 12 West Main Street 500 block, Cemetery Road

May 13 East Pine Street from Toledo Avenue to Harrison Avenue

May 14 West Pine Street from Toledo Avenue to Harrison Avenue

May 17 East Pine Street from Harrison Avenue to Mann Avenue, Bayer Avenue

May 18 West Pine Street from Harrison Avenue to Mann Avenue

May 19 East Boulder Street from Toledo Avenue to Norman Avenue, All the rest of Boulder Street from Norman Avenue, to the rest of South Boulder Street Dead end.

May 20 West Boulder Street from Toledo to Norman Avenue

May 21 Mann Avenue to 996 South Main Street West Side (last crosswalk)

May 24 Mann Avenue to 997 South Main Street East Side (last crosswalk)

May 25 Bone Yard, Town Hall

Jay Brunvand
 Clerk/Treasurer
 301 Pine St #309 ♦ 302 Pine St
 Minturn, CO 81645
 970-827-5645 x1
treasurer@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

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
April 7, 2021
Ordinance No. 02 - Series 2021 (First Reading) – An Ordinance creating a School District Land Dedication Policy
Special Presentation – Wildland Fire Program – Chief Karl Bauer, ERFPD
Public Hearing – Reid Philips CUP violations review
Resolution __ - Series 2021 a Resolution appointing members to the Planning Commission
Climate Action Plan update/presentation-Widerman
April 21, 2021
Ordinance No. 02 - Series 2021 (Second Reading) – An Ordinance creating a School District Land Dedication Policy
Ordinance No. ___ - Series 2021 (First Reading) – An Ordinance setting the SFE Schedule within Chapter 13 of the Minturn Municipal Code
Resolution ___ - Series 2021 (Second Reading) A Resolution setting the fee for the School Dist Land Dedication Policy
Resolution __ - Series 2021 a Resolution approving the Holy Cross Energy Community Enhancement funds - Metteer
May 5, 2021
Ordinance No. ___ - Series 2021 (Second Reading) – An Ordinance setting the SFE Schedule within Chapter 13 of the Minturn Municipal Code
DATE TO BE DETERMINED
An Ordinance adopting Specified Sustainability Building Codes
Wildlife Round Table presentation-Armistead
CUP regulation review – Fall 2021