



**Wednesday, July 6, 2022  
Regular Session – 5:30pm**

**AGENDA**

**Town Council Meeting  
Minturn Town Hall / Council Chambers  
302 Pine St Minturn, CO**

The agenda is subject to change, including the addition of items 24 hours in advance or the deletion of items at any time. The order of agenda items listed are approximate. This agenda and meetings can be viewed at [www.minturn.org](http://www.minturn.org).

**MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION**

This will be an in-person meeting with access for the public to attend in person or via the Zoom link included. Zoom Link: <https://us02web.zoom.us/j/86118485854>

Zoom Call-In Information: **1 651 372 8299 or 1 301 715 8592 Webinar ID: 861 1848 5854**

Please note: all virtual participants are muted. In order to be called upon an unmuted, you will need to use the “raise hand” feature in the Zoom platform. When it’s your turn to speak, the moderator will unmute your line and you will have five (5) minutes for public comment.

**PUBLIC COMMENTS:** If you are unable to attend, public comments regarding any items on the agenda can be submitted to Jay Brunvand, Town Clerk, prior to the meeting and will be included as part of the record.

**1. CALL TO ORDER**

**2. ROLL CALL & PLEDGE OF ALLEGIANCE**

**3. APPROVAL OF CONSENT AGENDA *Consent agenda items are routine Town business, items that have received clear direction previously from the council, final land-use file documents after the public hearing has been closed, or which do not require council deliberation.***

3.1 June 15, 2022 Meeting Minutes Pg 4

3.2 13400 Highway 24 – Battle Mountain Barn Pg 12

3.3 Wild Mountain Cellars, LLC Tasting Room, Matt Deem, owner, 152 Main St Pg 47

**4. APPROVAL OF REGULAR AGENDA *Opportunity for amendment or deletions to the agenda.***

**5. DECLARATION OF CONFLICTS OF INTEREST**

**6. PUBLIC COMMENT** *Citizens are invited to comment on any item on the Consent Agenda, or not on the regular Agenda subject to a public hearing. Please limit your comments to five (5) minutes per person unless arrangements have been made for a presentation with the Town Clerk. Those who are speaking are requested to state their name and address for the record.*

**7. SPECIAL PRESENTATIONS** *Presentations are limited to 5 minutes. Invited presentations are limited to 10 minutes if prior arrangements are made with the Town Clerk.*

**8. COUNCIL COMMENTS & COMMITTEE REPORTS**

**9. DISCUSSION / DIRECTION ITEMS**

- 9.1 Minturn Parking Study – Chris Alexander, Fehr & Peers Pg 53
- 9.2 Downtown Minturn Economic Modeling – Brian Duffany, Economic & Planning Systems Pg 76

**10. BUSINESS ITEMS** *Items and/or Public Hearings are listed under Business may be old or new and may require review or action by the Council.*

- 10.1 Ordinance 11 – Series 2022 (First Reading) An Ordinance creating 100 Block Design Guidelines – Hunn/Harris Pg 95
- 10.2 Resolution 28 – Series 2022 Historic Preservation Commission Appointments – Metteer Pg 183

**11. STAFF REPORTS**

- 11.1 Town Manager Update Pg 196

**12. FUTURE AGENDA ITEMS** Pg 199

**13. EXECUTIVE SESSION:** An Executive Session pursuant to C.R.S. 24-6-402(3)(b) for the purposes of receiving legal advice and C.R.S. 24-6-402(4)(e) for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators.

- 13.1 Holland & Hart wavier of representation conflict – Siltanen

**14. ADJOURN**

**INFORMATIONAL ONLY ITEMS**

Council Meetings:

- July 20, 2022
- August 3, 2022
- August 17, 2022
- September 7, 2022



**Wednesday June 15, 2022**

**Work Session – 3:00pm**  
**Executive Session – 4:00pm**  
**Regular Session – 5:30pm**

**OFFICIAL MINUTES**

**Town Council Meeting**  
**Minturn Town Hall / Council Chambers**  
**302 Pine St Minturn, CO**

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**MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION**

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**PUBLIC COMMENTS:** If you are unable to attend, public comments regarding any items on the agenda can be submitted to Jay Brunvand, Town Clerk, prior to the meeting and will be included as part of the record.

**WORK SESSION**

**The Minturn Town Council will convene in a Work Session to study Resolution 20 – Series 2022 by touring the subject property at 832 Main St. Council will meet at 3:00 pm at the Town hall and leave for the tour from there.**

**1. CALL TO ORDER**

**The Minturn Town Council will open the Regular Meeting at (approximately) 4:00pm for the purpose of convening into Executive Session. At (approximately) 5:30pm the Council will convene into Regular Session for the remainder of the meeting.**

The meeting was called to order by Mayor Earle Bidez at 4:00pm for the Executive Session portion only.

Those present include: Mayor Earle Bidez, Mayor Pro Tem Terry Armistead, and Town Council members George Brodin, Lynn Feiger, Gusty Kanakis, Tom Sullivan, and Kate Schifani. Town Manager Michelle Metter and Attorney Michael Sawyer (Zoom) were also present.

2. **Executive Session:** An Executive Session pursuant to C.R.S. 24-6-402(3)(b) for the purposes of receiving legal advice and C.R.S. 24-6-402(4)(e) for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators.

Executive Session will include legal advice on:

- Stipulation with ERWSD/UERWA in Case Nos. 21CW3029 and 21CW3030- Siltanen
- Religious Land Use and Institutionalized Persons Act (42 U.S.C. 2000cc) – Evan Seeman, Esq.
- Battle Mountain Litigation – Sawyer
- Dowd Junction Acquisition – Metteer

Motion by Terry A., second by Gusty K., to convene in Executive Session pursuant to C.R.S. 24-6-402(3)(b) for the purposes of receiving legal advice and C.R.S. 24-6-402(4)(e) for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators.

Those in attendance for the Executive Session were the Town Council present/zoom, Town Manager Michelle M., Town Attorneys Michael Sawyer (Zoom); and on Zoom Water Counsel for the Town Hayley Siltanen and Counsel Evan Seeman.

Direction given as a result of the Executive Session: No direction was given.

### 3. **ROLL CALL & PLEDGE OF ALLEGIANCE**

The Council convened in Regular Session at 5:46pm.

Those present included: Mayor Earle Bidez, Mayor Pro Tem Terry Armistead, and Town Council members George Brodin, Lynn Feiger, Gusty Kanakis, Tom Sullivan, and Kate Schifani.

Staff present: Town Manager Michelle Metter, Attorney Michael Sawyer (Zoom), Town Planners Scot Hunn and Madison Harris, and Town Clerk Jay Brunvand.

4. **APPROVAL OF CONSENT AGENDA** *Consent agenda items are routine Town business, items that have received clear direction previously from the council, final land-use file documents after the public hearing has been closed, or which do not require council deliberation.*

4.1 June 1, 2022 Meeting Minutes

- 4.2 Colorado River Water Conservation District Grant Contract
- 4.3 Resolution 24 – Series 2022 Nathan Dumm & Mayer Retention Contract
- 4.4 Resolution 26 – Series 2022 Jester Gibson & Moore LLP Retention Contract
- 4.5 Stipulation with ERWSD/UERWA in Case Nos. 21CW3029 and 21CW3030
- 4.6 Resolution 27 – Series 2022 Support of Amended Bolts Ditch Federal Legislation
- 4.7 994 Main Street – Alford Residence – New Single-Family Home

Lynn F abstained due to a Conflict of Interest regarding item 4.4.

Motion by Gusty K., second by Terry A., to approve the Consent Agenda of June 15, 2022 as presented. Motion passed 6-0. Note: Lynn F. abstained due to a Conflict of Interest

**5. APPROVAL OF REGULAR AGENDA** *Opportunity for amendment or deletions to the agenda.*

Earle B. requested to add a presentation by Larry Stone as item 10.5.

Motion by George B., second by Gusty K., to approve the Agenda of June 15, 2022 as amended. Motion passed 7-0.

**6. DECLARATION OF CONFLICTS OF INTEREST**

**7. PUBLIC COMMENT** *Citizens are invited to comment on any item on the Consent Agenda, or not on the regular Agenda subject to a public hearing. Please limit your comments to five (5) minutes per person unless arrangements have been made for a presentation with the Town Clerk. Those who are speaking are requested to state their name and address for the record.*

**8. SPECIAL PRESENTATIONS** *Presentations are limited to 5 minutes. Invited presentations are limited to 10 minutes if prior arrangements are made with the Town Clerk.*

**9. COUNCIL COMMENTS & COMMITTEE REPORTS**

George B. updated on the construction status of the water tank. He stated it is moving along fast. He updated on the grants that were received for the project and thanked all involved.

Terry A. updated on a push from the state to adopt waste diversion practices, gave an electric vehicle update, and noted the summer concert series starts July 7 and she updated on a very

Gusty K. updated on general meeting with the railroad and possible reopening of the Minturn line. He attended a Water QQ meeting and updated on the river uses and status. This also included water management updates.

Earle B. note we received \$1.4m from CDOT for the sidewalk phase2. With this funding, this project is anticipated to start construction in 2024. Earle B. discussed the recent Community survey, those with questions please forward to Earle and he will ensure the survey company gets them.

**10. BUSINESS ITEMS** *Items and/or Public Hearings are listed under Business may be old or new and may require review or action by the Council.*

10.1 Resolution 20 – Series 2022 A Resolution approving Land Use Application Variance 22-01 to allow for the construction of a safety fence within the 30’ live stream setback – Harris

Madison H. presented the Town Council had directed staff to set up a site visit at 832 Main Street for them to see the conditions of the lot and what is being asked for. The variance was first reviewed by the Town Council on June 1, 2022 and was continued to June 15, 2022.

Summary of Discussion at June 1, 2022 Meeting:

There was concern expressed about the proposed variance maximizing the requested relief instead of minimizing it. Mayor Earle Bidez helpfully elaborated on the history of the 30-foot live stream setback and what the Town has done to protect it and encourage it to flourish. After much discussion among Council and with the Applicant, it was decided to continue the public hearing to June 15, 2022 to allow for a site visit to the property to allow for Council to get an on-site look.

George B. discussed the work session/site visit held. He felt it was apparent the landscaping would go up to the proposed fence which is well within the 30ft setback. He felt we had spent a lot of time and effort repairing the river setback and this would negatively affect those efforts. Felt consideration should include ensuring lawn chemicals do not drain into the river from the landscaping.

Earle B. requested several pictures that he took which showed the issues and these were discussed. It was noted the adjacent neighbors encroach the setbacks but it was unclear when those setback encroachments occurred.

Gusty K. felt the wall presented a safety issue. Discussion ensued on the adjacent properties and felt the fence might be a compromise.

Earle B. felt the fence as proposed was the maximum encroachment. The pictures showed a possible compromise of connecting the fence on one side to the building on the other.

Lynn F. supported a compromise that would limit the full requested encroachment.

Tom S. felt there was a demonstrated hardship. He stated there are a lot of properties that encroach. Discussion ensued that if we allow this it would continue to limit our ability to restore the river again, this request would not protect the river.

Michael Pukas, architect representing the property, stated a variance is granted on a case-by-case basis therefore this would not create a potential precedent that could be exacted in the future. Through discussion it was asserted this could definitely create a precedent.

Motion by Terry A., second by Tom S., to approve Resolution 20 – Series 2022 A Resolution approving Land Use Application Variance 22-01 to allow for the construction of a safety fence within the 30’ live stream setback as presented including the findings and conditions below. Motion passed 5-2. Note: Lynn F. and Earle B voted Nay

- (1) There are exceptional or extraordinary circumstances or conditions applicable to the site of the variance that do not apply generally to other properties in the same zone;
- (2) The exceptional or extraordinary circumstances of the site create a situation in which the strict, literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of this Chapter;
- (3) That the granting of the variance will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity and will not result in substantial impairment to the purposes of this Chapter.
- (4) There is no substantial impairment to the public that would result from the granting of the variance.
- (5) an additional requirement was added to follow the proposed landscaping plan as a condition which presented a more native scape. The fence would be installed as presented above the rock wall where the previous fence was located.

#### 10.2 Ordinance 10 – Series 2022 (Second Reading) An Ordinance creating an Historic Preservation policy and Commission – Metteer/Gorrell

Madison H. presented this is a second reading. There are some minor changes from First Reading based on council direction.

Michelle M. asked if we wanted to use 75years for a building to be designated or a specific date and anything before that would be eligible for historic designation. One was anything that is or becomes 75years old, the other is a continuation that would continue to present buildings as they become 75 years old. She stated the town would also have right of first refusal to purchase part or all of a historic property.

George B. asked if an inventory would be taken of buildings that might be included. Michelle M. stated the committee could choose to do this work. It was also noted a homeowner could request it be designated as well as the other methods. George B. noted this could cause the homeowner onerous time to adjudicate this. This was clarified that anyone could discuss the designation but there was a tight timeframe to avoid abuse and undo time extensions on the owner.

Discussion ensued as how the criterion would be applied. Mobile homes were also discussed as they might relate to historical designation.

Terry A. discussed the matter of economic hardship and how that might be applied to a short-term rental or should it apply to all rental. She asked can someone keep submitting a property immediately after the deadline passes. It was noted a “hostile” nomination is rare traditionally. Terry A. felt this could be an issue and should be clarified. Her concern was that if a property is



adjudicated that the answer be upheld so that this does not become an obstruction. It was agreed that once a property is determined it could not be brought forth again for five years, a change from one year.

#### Public Hearing Opened

Mr. Larry Stone, 152 Main St., felt this Ordinance was a mistake. He asked how technology changes might not be allowed as it affected the historical appearance. He asked who would make those decisions.

1. A 75-year consideration is based on today and does not give credence to later generations
2. He felt we are trying to crate economic growth and this could stall this

Mr. Kelly Toon, 521 Main St., stated he wanted to focus on 1930's and older, not post WWII. He preferred a set date not an age. He felt this was designed to preserve our older buildings.

#### Public Hearing Closed

Motion by George B., second by Terry A6., to approve Ordinance 10 – Series 2022 (Second Reading) An Ordinance creating an Historic Preservation policy and Commission as amended. Motion passed 7-0.

#### 10.3 Acceptance of the Fiscal Year 2021 Financial Audit – Brunvand

Jay B. introduced our auditor Joe Hood (Zoom) and noted as per §29-1-606(a)(1) C.R.S. the Council must accept the audit and submit the approved audit to the Department of Local Affairs and to the Office of the State Auditor not later than June 30 of each year.

The audit was sent out in electronic format on June 9th for your review and a hard copy will be available for each Council Member upon request and placed in your box at Town Hall. For the meeting I will have posted the audit on the website with tonight's Council Packet for public review of the draft. I will print the audit upon request for those citizens desiring a hard copy. Please feel free to contact me prior to the meeting in the event you need further information.

Our audit firm, Maggard and Hood, was on site the week of February 21 and conducted their audit and financial review. The annual audit provides a snapshot view of the financial integrity of the Town as of December 31, 2021. The audit shows the town to be on a solid financial footing and we have been presented with a clean unqualified financial opinion.

Joe Hood presented the audit and a brief PowerPoint presentation and stood for questions.

Several items were noted and discussed. It was noted this is a draft and we will make the discussed changes prior to publishing.

Motion by Gusty K., second by Terry A., to accept Fiscal Year 2021 Audit as amended. Motion passed 7-0.

#### 10.4 Resolution 25 – Series 2022 Dowd Junction Acquisition Evaluation Contract Approval - Metteer

Michelle M. presented that for the past many years Minturn has identified the acquisition of the Dowd Junction (USFS administrative parcel) for the purposes of maintaining public access to the Meadow Mountain recreation area, use as a regional transit facility and revenue generation for the Town via sales and/or lodging tax. This acquisition has been an ongoing effort with several iterations. There is now an opportunity to cost share in this evaluation with the goal of both Eagle County and Minturn seeing benefits. The USFS has indicated their interest to consolidate their administrative and maintenance facilities into one location. Given the geographic area of the White River National Forest, combined with their headquarters being located in Glenwood Springs, it is anticipated any new location will tentatively be located down valley, however all concepts are still being evaluated. With Dowd Junction being located within the Minturn town boundaries, Minturn has first right of refusal for the purchase of this and other Minturn-located USFS administrative parcels. Partnerships will be necessary for acquiring purchase funds and those partnerships are still yet to be determined. The initial funding will require about \$15k and will come from the General Fund legal appropriation.

Motion by Tom S., second by Kate S., to approve the acquisition evaluation contract for the USFS administrative parcels as presented. Motion passed 7-0.

#### 10.5 added with approval of the agenda-

Mr. Larry Stone, 152 Main St, discussed holding an STR for two years before it can be rented and developed with retail is very limiting. He asked Council to consider dropping that for existing owners within town that purchase in the 100 block.

Tom S. spoke in support of the 2yr restriction. He felt this could be considered in the 100 block perhaps, but not town wide. Mr. Stone felt amending the ordinance to exclude the 100 block was important.

Discussion ensued within the 100 block to have commercial, residential on the first floor and residential on the second floor with residential being short term rents.

Terry A. felt this was something to look at but agreed it should be limited to the 100 block; however, she asked if this would affect the staff bandwidth. Michelle M. felt this would be minimal. Terry A. felt the 2yr condition was more for 2<sup>nd</sup> homeowners not existing residents and homeowners. Mr. Stone noted this would allow heads-in-beds while not negatively tie the owner.

Direction was given to have staff review and work on this proposal but limit it ONLY to the 100 block for existing owners, and that it would include both residential and commercial on the ground floor, not just residential on the first floor, and residential on the second.

## **11. DISCUSSION / DIRECTION ITEMS**

### **12. STAFF REPORTS**

#### 12.1 Town Manager Update

Mural on the Town Hall was discussed by Council. Direction was in support of Elise Holmes Image #3.

### **13. FUTURE AGENDA ITEMS**

### **14. ADJOURN**

Motion by George B., second by Tom S., to adjourn the meeting at 7:45pm.

### **INFORMATIONAL ONLY ITEMS**

Council Meetings:

- June 15, 2022
- July 6, 2022
- July 20, 2022
- August 3, 2022

Glenwood Springs – Main Office

201 14<sup>th</sup> Street, Suite 200  
P. O. Drawer 2030  
Glenwood Springs, CO 81602

Aspen

323 W. Main Street  
Suite 301  
Aspen, CO 81611

Montrose

1544 Oxbow Drive  
Suite 224  
Montrose, CO 81402

Office: 970.945.2261

Fax: 970.945.7336

[\*\\*Direct Mail to Glenwood Springs\*](#)

DATE: July 1, 2022  
TO: Minturn Planning Commission  
FROM: Karp Neu Hanlon, P.C.  
RE: Staff Request to Call Up Mountaintop DRB Approval

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Staff is recommending that the Council call up the DRB approval for Battle Mountain SC LLC (applicant Resort Concepts) related to construction of a barn on 13400 Highway 24 (the Mountaintop). At the Planning & Zoning Commission, Staff had recommended that the Commission include a condition of approval that the owner of the property complete compliance with provisions in the “Mountaintop Agreement”. Under section 2.2 f.i-ii and 2.2 g., the owner of the Mountaintop is supposed to dedicate to the Town an easement for the Peregrine Falcon Trail (along the Xcel pipeline easement), the Eagle River Trail (along a small portion of the Eagle River located on the Mountaintop property) and a covenant for Shrine Pass Road. Drafts of these documents were created but not executed. Completing these obligations under the Mountaintop Agreement should be made a condition of the DRB approval.

The Town generally does not issue permits when there are provisions of development agreements which are in a state of non-compliance. See Code Sec. 16-23-30 and 16-21-740. Instead, the Town uses requests to issue permits in order to achieve compliance with the development agreements which govern land development. Staff is requesting that Council modify the DRB conditions of approval to require the applicant to come into compliance with the provisions of the Mountaintop Agreement.



To: Mayor and Council  
From: Madison Harris, Planner I  
Date: June 30, 2022  
Agenda Item: Recent Planning Commission Recommendations and Actions

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**REQUEST:**

Review of Planning Commission actions from their regular meeting of June 22, 2022. 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:

**13400 Hwy. 24 – New Equipment Barn**

- Final Plan DRB Application for New Equipment Barn

**INTRODUCTION:**

***13400 Hwy. 24***

At their regular meeting of June 22 2022, the Planning Commission, acting as the Town of Minturn Design Review Board, reviewed the final plans for a new equipment barn at the Mountain Top property located at 13400 Hwy. 24. The plans approved by the DRB are for:

- **New Equipment Barn with office space**

Site plans along with exterior elevation renderings and floor plans are attached for reference.

Two neighbors spoke at the DRB hearing where the DRB discussed proposed exterior materials and colors, as well as the proposed placement 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 barn as a Final Plan review, with six of the seven conditions proposed by Town Staff:

1. In accordance with the Mountain Top Agreement, the Applicant shall work with the Town during the building permit approval process to provide evidence of adequate Onsite Wastewater Treatment System(s) for the barn as part of the building permit process.
2. In accordance with the Mountain Top Agreement and Chapter 13, Article 7 of the MMC, the Applicant shall work with the Town during the building permit approval process to provide evidence of adequate water supply (well permit) to serve the barn.
3. The Applicant shall provide evidence at building permit application submission that

the existing driveway can or will meet the Town's driveway/road standards for the Mountain Top

4. The Applicant shall provide evidence (ability to serve letters) from emergency service providers prior to or concurrent with building permit application submission
5. The Applicant shall work with the Town of Minturn to address and resolve any issues related to increased service impacts or costs associated with the development and use of the barn structure.
6. The Applicant shall address all review comments by Jeff Spanel, Intermountain Engineering, Inc., dated June 9, 2022 prior to or concurrent with building permit application submission.

A seventh condition (listed below) was suggested by Staff but not endorsed by the Planning Commission:

7. The Applicant shall finalize requirements per the 2017 Mountain Top Agreement regarding easements and covenants (along eagle river and the overlook; shrine pass).

#### **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. Two members of the public spoke at the DRB hearing.

In accordance with Ordinance No. 2, Series 2017 approving the “Mountain Top Agreement,” until such time that the Owner of the Mountain Top area elects to subdivide the property as part of the “Original” development concept (the Ginn proposal for a new private resort) or the alternative “Estate and Ranch Lot” or “Mountain Top” concept, the subject property effectively has no site specific development standards. However, staff has reviewed the proposal for general conformance with Chapter 16, Zoning as well as Appendix B, Design Guidelines and Standards of the Minturn Municipal Code. Further, in order to protect the Town’s interest in lieu of site specific development standards and/or a development agreement that addresses site specific impacts, staff recommended certain conditions of approval addressing Town Engineer comments as well as potential emergency service provision.

Last, upon review of the Mountain Top Agreement as part of this DRB review, staff is recommending that the Town work with the Owner to finalize certain easement agreements and a covenant that were previously agreed to in 2017, but never executed. The Planning Commission voted to approve the final plans with six conditions but did not recommend approval of a seventh condition which would require the Owner to finalize and execute the aforementioned easement agreements and covenant. In relation to this, the Town Attorney has provided a memo that is before this one.

#### **COMMUNITY INPUT:**

Two members of the public spoke at the DRB hearing. They had questions about the placement of the barn, and the maintenance of the access road. 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, and following Section 16-21-610 Public notice.

**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:**

Call up the following application:

1. 13400 Hwy. 24 – New Equipment Barn

**ATTACHMENTS:**

- [Ord. 2 - Series 2017: Mountain Top Agreement](#) - Link
- Staff Report
- Final plan submittal for 13400 Hwy. 24

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



**Minturn Planning Commission**  
Chair – Lynn Teach  
Jeff Armistead  
Michael Boyd  
Elliot Hovey  
Sage Pierson  
Tom Priest

**To:** Planning Commission  
**From:** Madison Harris, Planner I  
**Date:** June 16, 2022  
**Re:** Battle Mountain Barn - 13400 Highway 24 - New Equipment Barn

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The Applicant, Battle Mountain SC, LLC, represented by Taylor Hermes with Resort Concepts, requests Final Plan review of a new, 9,371 (gross) square foot equipment barn located at 13400 Highway 24 in the Willow Creek Character Area of the larger Battle Mountain, or “Mountain Top” property. The plans submitted are relatively complete and thorough.

**Proposed Plans**

The plans show a two-story equipment barn with an office space and a loft, replacing a metal shed and providing storage for equipment that normally sits outside all year. The parcel is 3,732.7 acres. The structure is 28’ - 8 ¼” to the ridge point, and a footprint of 8,072 square feet.

**Background**

The subject property was annexed into the Town and included in the original development plans for the Ginn/Battle Mountain project which included development of a ski resort in the Willow Creek, Rock Creek and Holy Cross Character Areas situated to the south and east of Hwy. 24 and to the north and east of the Town of Red Cliff. However, when the original ski resort plans failed to move forward, previous property owners sought an agreement with the Town - the “Mountain Top Agreement” - to allow for development options of the property in the future while giving the Town basic zoning control over future development of the property. The agreement lays out essentially two options for development - either as the original ski resort concept, or as the “Estate and Ranch Lot” concept. Both development concepts would require subdivision and the approval through the Town’s processes of site-specific development plans for the entirety of the 3,732-acre property.

**Development Regulations and Dimensional Limitations**

Based on the Mountain Top Agreement, the Town amended the Minturn Municipal Code to include general provisions for the use and development of the Mountain Top Area until such time that the property owner pursued site specific development plans. As stated above, neither development option (ski resort or Estate/Ranch Lot concept) has been chosen at this time and the Applicant is merely seeking to construct a barn to house numerous pieces of heavy equipment historically stored on the site and used to maintain the property.

Therefore, the subject property is currently regulated by Chapter 16, Article 10 of the Minturn Municipal Code as part of the “ Bolt’s Lake, Gilman, Willow Creek, Rock Creek and Holy Cross Character Areas.” Article 10 establishes a list of general uses, including maintenance of private



property, forestry and passive recreation, as uses that are appropriate until such time that a development plan – and site specific development standards - for either development concept is chosen and approved by the Town.

As such, there are effectively no development controls that are associated with the Willow Creek Character Area, i.e. no impervious standards, building coverage standards or height limitations. They will not be removing any trees as the area is previously disturbed and graded; this area of the larger property has historically been used as a gravel parking lot where equipment is stored. Instead, the Applicant will be planting upwards of 30 trees in the area around the structure.

There is plenty of room on site for parking although no specific spaces are called out.

While there are no site specific development standards or controls associated with the subject property until such time as a site specific plan for development for the larger property is reviewed and approved by the Town, the Mountain Top Agreement does stipulate that any building permit for the property must be accompanied by evidence of adequate (well) water supply as well as evidence (and plans) for Onsite Wastewater Treatment System (OWTS) for sanitary sewer (septic).

### **Summary of Process and Code Requirements**

These plans are being presented by the Applicant as “Final Plan” level of review for a new structure on a parcel within the Town of Minturn. This is a formal hearing providing the Applicant and staff the opportunity to discuss the proposal with the Planning Commission, acting as the Design Review Board, and to address the DRB’s concerns or feedback regarding suggested revisions to the project.

If the DRB feels that the plans are complete, appropriate, and meet the intent and purposes of the Minturn Municipal Code, Chapter 16, the DRB has the option to take final action to approve the plans without conditions, or to approve with specific conditions and giving the Applicant and staff clear direction on any recommended revisions, additions or updates to the plans.

No variances are required or requested at this time.

### **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 13400 Highway 24 meet or can be revised to meet the required findings 'a,' 'b,' and 'c' or subparagraph 3 – *Necessary findings* - with proposed conditions of approval.

These plans have been shared with the Town Engineer who has no comments for the DRB submittal but did provide comments on what will be expected from the Applicant at the building permit submittal process. That letter, dated June 9, 2022, is attached to this memo.

### **Staff Recommendation and Conditions**

The project is approvable under the general provisions of Chapter 16, Article 10 of the Minturn Municipal Code. Staff is recommending approval, with one condition in accordance with the Mountain Top Agreement. Should the Planning Commission chose to recommend approval of the proposed barn, staff recommends the following conditions:

- 1. In accordance with the Mountain Top Agreement, the Applicant shall work with the Town during the building permit approval process to provide evidence of adequate Onsite Wastewater Treatment System(s) for the barn as part of the building permit process.
- 2. In accordance with the Mountain Top Agreement and Chapter 13, Article 7 of the MMC, the Applicant shall work with the Town during the building permit approval process to provide evidence of adequate water supply (well permit) to serve the barn.

### **Attachments**

- 1. Letter from Town Engineer
- 2. Application
- 3. Letter of Intent
- 4. Property Record Card
- 5. Plans, Materials, Renderings
- 6. [Fly Around Model Video - Link](#)

June 9, 2022

Ms. Madison Harris  
Town of Minturn  
PO Box 309  
Minturn CO 81645  
Via email: [planner1@minturn.org](mailto:planner1@minturn.org)

RE: Battle Mountain Barn  
13400 US Highway 24  
DRB Plan Review  
Project No. 220010

Dear Madison:

We reviewed the Battle Mountain Barn DRB plan submittal dated May 13, 2022. The plans are complete for DRB plan review. Detailed, construction ready plans need to be provided prior to final approval for permit. We recommend the following plans & information are included with the construction plans:

1. General Construction Requirements & Project Specifications
2. Existing Conditions Plan
3. Demolition Plan
4. Grading and Drainage Plan
5. Erosion Control Plan
  - a. Stormwater Management Plan (SWMP) required if disturbance exceeds 1 acre
6. Utility Plans & details:
  - a. Utility Provider "Ability to Serve Letters"
  - b. Details for domestic water service.
  - c. Details for sanitary sewage service – this may be an Individual Sewage Disposal System (ISDS), which requires health department approval.
  - d. Details for other utility services
7. Geotechnical Report
8. A CDOT Access Permit may be required as this is a change in use.
9. Fire Department should review the plans

Thank you for the opportunity to be a part of this plan review, please feel free to call with questions.

Sincerely,  
Inter-Mountain Engineering



Jeffery M. Spanel  
CC: Michelle Metteer; Michael Sawyer, Scot Hunn

**VAIL VALLEY OFFICE**

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

**DENVER OFFICE**

9618 Brook Hill Lane | Lone Tree, CO 80124

**970.949.5072 | [info@inter-mtn.net](mailto:info@inter-mtn.net)**



## 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](mailto:planner@minturn.org)

<b>Project Name:</b>			
Battle Mountain Barn			
<b>Project Location</b>			
Street Address: 13400 HWY 24			
Zoning:	Parcel Number(s): 2205-072-00-003		
<b>Application Request:</b>			
Please see submitted Letter of Intent			
<b>Applicant:</b>			
Name: Taylor Hermes — Resort Concepts			
Mailing Address: PO Box 5127 Edwards, CO 81632			
Phone: 970-926-1720	Email: <a href="mailto:TthermeseResortConceptsCO.com">TthermeseResortConceptsCO.com</a>		
<b>Property Owner:</b>			
Name: Battle Mountain SC LLC			
Mailing Address: 141 Dawn Harbor Ln. Riverside, CT 06878			
Phone:	Email: <a href="mailto:Philip.Hadley@gmail.com">Philip.Hadley@gmail.com</a>		
<b>Required Information:</b>			
Lot Size:	Type of Residence (Single Family, ADU, Duplex)	# of Bedrooms	# On-site Parking Spaces
		Ø	
# of Stories:	Snow storage sq ft:	Building Footprint sq ft:	Total sq ft Impervious Surface:
2	N/A	8,072	N/A
<b>Signature:</b>			
			5/13/22
<b>Fee Paid:</b> _____	<b>Date Received:</b> _____	<b>Planner:</b> _____	

Scott Hunn  
Contract Planner  
Town of Minturn Community Development  
301 Boulder St. #309  
Minturn, CO 81645

Re: Battle Mountain Ranch Equipment Barn  
Parcel Number 2205-072-00-003  
13400 Hwy 24

May 13, 2022

Mr. Scott Hunn,

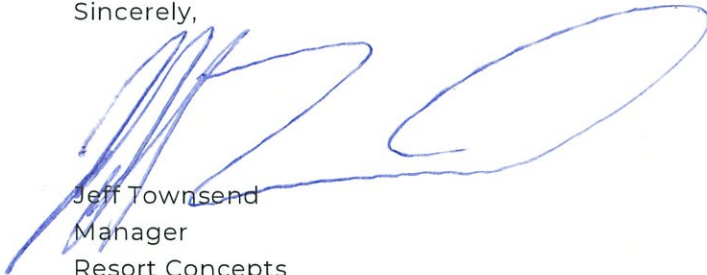
Please accept this letter of intent in conformance with the documents required for the Town of Minturn Design Review application.

Battle Mountain Ranch is an approximate 4,600 ranch parcel of which a portion of the property is located within the Town of Minturn. The property has received zoning approval for multiple development scenarios. The property was purchased by Battle Mountain SC LLC on October 27, 2020 and has since remained in its prior state as an undeveloped ranch parcel. Battle Mountain SC LLC wishes to construct a ranch equipment barn on the property in an area currently used as an equipment storage yard. Please refer to the submittal documents for the property location, easements and existing conditions.

The owner has no current plan for developing the property, however, the owner retains the right to develop the property pursuant to the development approvals issued by the Town.

Thank you in advance for your time and consideration.

Sincerely,



Jeff Townsend  
Manager  
Resort Concepts  
[Jtownsend@ResortConceptsCO.com](mailto:Jtownsend@ResortConceptsCO.com)

# Property Record Card

Eagle

**BATTLE MOUNTAIN SC  
LLC**

61 DAWN HARBOR LN  
RIVERSIDE, CT 06878-2608

**Account: R066050**

Tax Area: SC229 - ERFPD  
(CENTRAL) & TOM/BATTLE MTN  
ANNEX - SC229

Acres: 3732.716

**Parcel: 2205-072-00-003**

Situs Address:  
013400 HWY 24  
MINTURN AREA

## Value Summary

Value By:	Market	Override
Land (1)	\$1,713,320	N/A
<b>Total</b>	<b>\$1,713,320</b>	<b>\$1,713,320</b>

## Legal Description

Section: 1 Township: 6 Range: 81 W1/2 PCLIN Section: 2 Township: 6 Range: 81 HES SURVEY 40 Tract: 37 Section: 6 Township: 6 Range: 80 S1/2SE1/4 Tract: 38 Section: 8 Township: 6 Range: 80 MINE: AGASSIZ - 9321 MINE: ALABAMA - 12407 MINE: ALDER - 20747 MINE: ALLEGHANY - 3810 18.75% MINE: ALMY (PART OF) - 3838 MINE: AMY - 11861 MINE: ANNIE MURPHY (PART OF) - 7821 MINE: APRIL 1,3,5 & 7 - 19893 MINE: APRIL 2,4,6,8,9,15 & 16 - 19986 MINE: APRIL 10 - 19893 MINE: APRIL 11,12,13, & 14 - 19986 MINE: ARGENTINE 1 (PART OF) - 20596 MINE: ARGENTINE 3 (PART OF) - 20596 MINE: ARGO (PART OF) - 641 MINE: ARMY - 20355 MINE: ASPEN - 698 MINE: ASPEN NO 10 - 20747 MINE: BALANCE - 20018 MINE: BATTLE MOUNTAIN - 2258 MINE: BELDEN (PART OF) - 602 MINE: BEN HARRISON (PART OF) - 7470 50% MINE: BERTHA (PART OF) - 603 MINE: BIG TIMBER (PART OF) - 20292 MINE: BIRD - 2419 MINE: BLACK CAT - 20018 MINE: BLACK IRON (PART OF) - 2646 50% MINE: BLAKE (PART OF) - 1117 MINE: BLENDE - 20461 MINE: BLOW - 9321 MINE: BLUEBIRD - 11861 MINE: BUCK - 20355 MINE: BUCK EYE - 20355 MINE: BUCK HORN - 20355 MINE: BUD - 20711 MINE: BUENA VISTA - 1569 MINE: BULLION - 2328 MINE: CALAMINE - 20461 MINE: CALCITE & COLOMITE (PART OF) - 20462 MINE: CALUMET - 9321 MINE: CAMP BIRD - 11861 MINE: CAVE & COOLIDGE (PART OF) - 20293 MINE: CENTURY, CENTURY 1,2,3,4,5 & 6 - 12407 MINE: CHAMPION (PART OF) - 4312 MINE: CHAMPLAIN - 9321 MINE: CLEOPATRA (PART OF) - 899 MINE: CLEVELAND (PART OF) - 3115 50% MINE: CLIFF (PART OF) - 3239 MINE: CLINTON (PART OF) - 1241 MINE: COLORADO - 20355 MINE: COMSTOCK - 1989 MINE: CORA (PART OF) - 780 MINE: DEPUE - 20461 MINE: DOLLY VARDEN - 3289 MINE: DONALD - 20355 MINE: DORA & EMMA - 7055 MINE: DOUBLE FRACTION - 20746 MINE: DOUGLAS - 20355 MINE: DUKE - 8545 MINE: E.Z. LODGE - 19846 MINE: EAGLE 3,4 & 5 - 19993 MINE: EAGLE 10,11 & 12 - 19993 MINE: EAGLE BIRD (PART OF) - 898 MINE: EIGHTY FOUR - 3920 25% MINE: ELDORADO - 20355 MINE: ELK - 20461 MINE: ELLA & LILY (PART OF) - 7637 MINE: EMILY - 11861 MINE: EMMONS - 9321 MINE: EMPIRE - 20355 MINE: ERIE - 9321 MINE: ERNESTA - 11861 MINE: F.C. GARBUTT (PART OF) - 2391 MINE: FANCY (PART OF) - 2301 MINE: FIRST NATIONAL - 13320 25% MINE: FLORENCE - 11861 MINE: FLORENCE (PART OF) - 1242 MINE: FLORIDA - 12407 MINE: FORESIGHT 1,3,5 & 7 - 20711 MINE: FORESIGHT 2 & 4 - 20747 MINE: FORESIGHT 8,9,10,11 & 12 - 20705 MINE: FOSTER COMBINATION - 7056 18.75% MINE: FRACTION - 11795 MINE: FRANCIS - 11861 MINE: FRANKLIN - 20461 MINE: FREE COINAGE 2 - 19642 MINE: FREE COINAGE 3,4 & 5 - 20287 MINE: GARNET - 20461 MINE: GEN FOCH - 19960 MINE: GEORGIA - 12407 MINE: GILMAN (PART OF) - 7821 50% MINE: GOLD STAR - 9321 MINE: GOLDEN TERRA (PART OF) - 1969 MINE: GORDON - 11861 MINE: GREAT EASTERN (PART OF) - 2302 MINE: GREEN TIMBER - 20292 MINE: GREENBOLT (PART OF) - 2403 MINE: HAIGH - 20355 MINE: HANOVER - 20461 MINE: HARRY - 11861 MINE: HAYDEN - 9321 MINE: HEILSING - 9321 MINE: HELEN E - 20018 MINE: HIGHLAND CHIEF (PART OF) - 840 MINE: HILL TOP 2 - 9321 MINE: HINT - 20736 MINE: HOOD - 2266 MINE: HUMBOLT - 5903 MINE: HURON - 9321 MINE: I HAVE IT (PART OF) - 20257 MINE: IDA KRUSE - 826 MINE: INDIAN GIRL (PART OF) - 3121 50% MINE: INSPIRATION - 20461 MINE: IOLA 1,3,5,6,8 & 9 - 19933 MINE: IOLA 2 - 19933 MINE: IOLA 4 - 19933 MINE: IOLA 7 - 19933 MINE: IRON MASK (PART OF) - 1272 MINE: IRON WILL - 3686 MINE: J. BEST (PART OF) - 1289 MINE: JENNY LIND (PART OF) - 2327 50% MINE: JEROME - 20461 MINE: JOE HILL 1,2,3,4,5,6,7,8,9,10, 11, 12, 13, 14 & 15 - 11861 MINE: JOHN C. GODGREY (PART OF) - 2367 MINE: JOHNSON - 20705 MINE: KELLY - 20461 MINE: KEY - 20763 MINE: KEY STONE CONSOLIDATED - 2279 MINE: KINGFISHER (PART OF) - 1852 MINE: KNIGHT TEMPLAR - 11795 MINE: LAMP LIGHTER - 20018 MINE: LEAD - 20441 MINE: LEVIATHAN - 6227 MINE: LIBERTY 2 (PART OF) - 20569 MINE: LIBERTY 3 (PART OF) - 20569 MINE: LIBERTY 4 - 20569 MINE: LIBERTY 10 - 20711 MINE: LIBERTY FRACTION - 20711 MINE: LIBERTY

# Property Record Card

## Eagle

SPECIAL - 20711 MINE: LIBERTY SPECIAL 2 - 20747 MINE: LIBERTY SPECIAL 3 - 20711 MINE: LIBERTY SPECIAL 4 - 20747 MINE: LIBERTY SPECIAL 5 - 20711 MINE: LIBERTY SPECIAL 6 - 20711 MINE: LIBERTY SPECIAL 7 - 20711 MINE: LIBERTY SPECIAL 8 - 20711 MINE: LIBERTY SPECIAL 9 - 20711 MINE: LIBERTY SPECIAL 11,12,15 & 16 - 20711 MINE: LIBERTY SPECIAL 13 & 14 - 20705 MINE: LIBERTY SPECIAL 17 - 20711 MINE: LIBERTY SPECIAL 18 & 20 - 29747 MINE: LIBERTY SPECIAL 19 - 20711 MINE: LIME - 20461 MINE: LINCOLN HWY (PART OF) - 20257 MINE: LITTLE BARNEY - 3472 MINE: LITTLE BELLE (PART OF) - 1273 MINE: LITTLE CHICAGO - 2256 MINE: LITTLE CHIEF (PART OF) - 1638 MINE: LITTLE CHRIS - 7469 50% MINE: LITTLE ELLA (PART OF) - 2257 50% MINE: LITTLE NELLIE (PART OF) - 827 MINE: LITTLE OLLIE (PART OF) - 839 MINE: LITTLE TEMBY (PART OF) - 3360 MINE: LITTLE TOPSY (PART OF) - 2647 50% MINE: LONG BOY 1,2,3,10 & 11 - 20705 MINE: LONG BOY NO 4 - 20705 MINE: LONGFELLOW (PART OF) - 2645 MINE: LOTTIE - 7055 MINE: LOUISE - 2253 MINE: LUCKY DICK - 20018 MINE: MACKE (PART OF) - 3837 MINE: MADURO - 20355 MINE: MAINE - 11635 MINE: MARINE - 20355 MINE: MARS - 1228 MINE: MARTHA (PART OF) - 7821 MINE: MARY - 7055 MINE: MARY (PART OF) - 4869 MINE: MASTADON - 6227 MINE: MASTER - 11795 MINE: MATCHLESS - 3664 MINE: MAUD S. - 7779 18.75% MINE: MAY 1,2,3 & 7 - 19993 MINE: MAY 4 (PART OF) - 20461 MINE: MAY 6 - 20461 MINE: MAY 8 & 9 - 19993 MINE: MAY 10,11 & 12 - 19993 MINE: MAY 13 & 14 (PART OF) - 20257 MINE: MAY 15 (PART OF) - 20257 MINE: MAY 16 (PART OF) - 20461 MINE: MAY DAY - 20292 MINE: MAY QUEEN (PART OF) - 1228 50% MINE: MC GREGOR - 20355 MINE: MCKINLEY - 20355 MINE: MERCURY - 5108 MINE: METALIC - 20763 MINE: MEXICAN MAID (PART OF) - 1249 50% MINE: MICHIGAN - 9321 MINE: MIKE - 20711 MINE: MORGAN (PART OF) - 2959 50% MINE: MOUNTAIN CHIEF - 3675 MINE: MOUNTAIN EAGLE - 14401 MINE: MYSTERY (PART OF) - 20569 MINE: MYSTERY 2 - 20747 MINE: NAVY - 20355 MINE: NEPTUNE - 5108 MINE: NEW HAMPSHIRE - 11635 MINE: NEW YEAR (PART OF) - 4308 MINE: NEW YORK (PART OF) - 14985 MINE: NITRATE - 20461 MINE: NORTH STAR - 20018 MINE: OMEGA - 20018 MINE: ONTARIO - 6321 MINE: OPHIR (PART OF) - 1470 MINE: OVEE - 4129 MINE: OXIDE - 20461 MINE: PACIFIC (PART OF) - 1472 MINE: PAUL - 20355 MINE: PAULINE - 11861 MINE: PERSEVERANCE - 20018 MINE: PERU & ROSA M. (PART OF) - 5712 MINE: PHILADELPHIA (PART OF) - 4579 MINE: POCAHONTAS - 3520 MINE: POLLY POWERS - 20018 MINE: PORTAL - 20763 MINE: PREDICTION - 20018 MINE: PRINCE (PART OF) - 17820 MINE: PURITAN - 20461 MINE: QUAKER - 20461 MINE: QUEEN OF THE HILLS (PART OF) - 1990 MINE: R.L.R. (PART OF) - 1849 MINE: RED BIRD - 11861 MINE: RED ROCK (PART OF) - 5427 50% MINE: RED ROCK 2 & 3 - 19618 MINE: RESURRECTION (PART OF) - 17242 MINE: ROB ROY (PART OF) - 2643A 50% MINE: ROB ROY M.S. - 2643B MINE: ROBBY BURNS - 3609 MINE: ROYAL ARCH (PART OF) - 3865 MINE: RUBY - 20461 MINE: SAPHIRE - 20461 MINE: SCIENCE (PART OF) - 17242 MINE: SILVER - 2958 MINE: SILVER WAVE (PART OF) - 900 MINE: SILVRIAN - 14400 MINE: SKELETON - 6227 MINE: SLIDE - 2323 25% MINE: SOONER - 3839 MINE: SPIRIT (PART OF) - 1138 MINE: SPRUCE 5,6 & 7 - 20747 MINE: SPRUCE 10 - 20747 MINE: ST ELMO - 5314 MINE: ST JOSEPH (PART OF) - 3240 MINE: ST PATRICK (PART OF) - 20292 MINE: SUCCESS (PART OF) - 19622 MINE: SUPERIOR - 9321 MINE: SYLPH LODGE - 3540 MINE: THATCHER - 20355 MINE: TOM SCOTT (PART OF) - 1719 MINE: TOPAZ - 20461 MINE: TREASURY VAULT - 9321 MINE: TWIN THEORY 8 - 20705 MINE: UTE #4 - 20763 MINE: UTE #5 - 20763 MINE: UTE #6 (PART OF) - 20763 MINE: UTE 1 - 20763 MINE: UTE 2 (PART OF) - 20763 MINE: UTE 3 (PART OF) - 20763 MINE: UTE 7 - 20763 MINE: VENROLT - 2322 25% MINE: VENUS - 5108 MINE: VERMONT - 11635 MINE: VICTORY 1 - 20569 MINE: VICTORY 2,4 & 6 - 20747 MINE: VICTORY 3 - 20711 MINE: VICTORY 5 - 20711 MINE: VICTORY 7 - 20711 MINE: VULCAN - 5108 MINE: W.N.B. (PART OF) - 20763 MINE: WANDERER (PART OF) - 3684 MINE: WILKESBARRE (PART OF) - 1731 MINE: WILLOW - 20711 MINE: ZINC (PART OF) - 20441  
BK-0067 PG-0477 DEED 07-15-1912  
BK-0085 PG-0159 QCD 02-19-1917  
BK-0086 PG-0009 DEED 08-12-1914  
BK-0086 PG-0010 DEED 07-31-1914  
BK-0086 PG-0011 DEED 07-31-1916  
BK-0086 PG-0014 DEED 12-05-1914  
BK-0086 PG-0023 DEED 03-27-1915

# Property Record Card

Eagle

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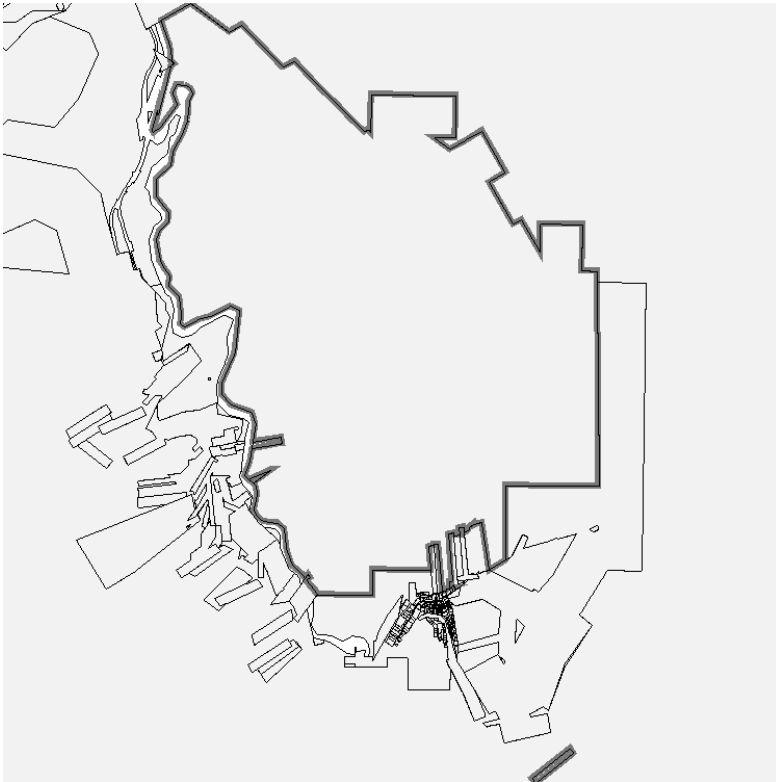
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BK-0552 PG-0058 QCD 04-09-91  
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BK-0573 PG-0153 QCD 02-06-92  
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BK-0591 PG-0499 PTD 08-24-92  
BK-0593 PG-0298 PTD 02-10-92  
BK-0595 PG-0439 TD 11-23-92  
BK-0596 PG-0315 QCD 12-01-92  
BK-0600 PG-0259 QCD 01-13-93  
BK-0600 PG-0260 BSD 01-15-93  
BK-0604 PG-0516 MIN 01-16-82  
BK-0604 PG-0517 PAT 10-04-83  
BK-0604 PG-0520 MIN 05-05-87  
BK-0604 PG-0976 PTD 03-22-93  
BK-0606 PG-0332 PTD 11-14-89  
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BK-0620 PG-0326 PTD 09-23-93  
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BK-0639 PG-0554 BSD 04-29-94  
BK-0648 PG-0989  
BK-0649 PG-0731 PTD 09-12-94  
BK-0659 PG-0880 DEED 01-23-95  
BK-0684 PG-0319 TD 12-21-95  
BK-0687 PG-0453  
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R671682 QCD 07-22-98  
R672563 TD 05-20-98  
R705119 SD 08-10-99  
R733099 DQT 05-30-00  
R737734 TD 01-19-99  
R737735 QCD 08-22-00  
R758504 EAS ORD 06-04-01  
R879608 PAT 01-16-1882  
R879610 PAT 11-25-1884  
E883548 AGR 07-02-04  
R883549 BSD 06-08-04  
R883550 BSD 07-02-04  
R900515 SWD 12-10-04  
R900516 QCD 12-10-04  
R932056 CSWD 09-13-05  
R932057 CQCD 09-13-05  
R937291 SWD 11-07-05  
R200614244 QCD 05-10-06  
R200724914 QCD 09-14-07  
R200724915 SWD 09-17-07  
R200724917 QCD 09-17-07  
R200724918 QCD 09-17-07



# Property Record Card

Eagle

R200921950 QCD 10-18-09



## Public Remarks

Entry Date	Model	Remark
		PARCELS LYING EASTERLY OF HWY 24 ROW

## Sale Data

Doc. #	Sale Date	Deed Type	Validity	Verified	Sale Price	Ratio	Adj. Price	Ratio	Time Adj. Price	Ratio
M202019737	10/27/2020	SWD	UV	Y	\$18,250,000	9.39	\$18,250,000	9.39	\$18,250,000	9.39

## Land Occurrence 1

Abstract Code	0560 - 100 AC & UP	Percentage	100.0
Use Code	1000 - RESIDENTIAL	Neighborhood	801 - OUTLYING NEIGHBORHOOD 801
Land Code	8390 - 801 OUTLYING 100 AC >	Super Neighborhood	750 - OUTLYING EAGLE/GYPSUM/AVON/VAIL/MINTURN
Size	3732.716	Acreage Adjustment	82000 - 801 ACREAGE_ADJ 2000 AC +/-

SubArea	ACTUAL	EFFECTIVE	HEATED	FOOTPRINT
Land A	3732.716			
Total	3,732.716			
	<b>Value</b>	<b>Rate</b>	<b>Rate</b>	<b>Rate</b>
	\$1,713,320	459.00		

## Abstract Summary

Code	Classification	Actual Value	Taxable Value	Actual Override	Taxable Override
0560	100 AC & UP	\$1,713,320	\$496,860	NA	NA
<b>Total</b>		<b>\$1,713,320</b>	<b>\$496,860</b>	<b>NA</b>	<b>NA</b>

# BATTLE MOUNTAIN BARN

013400 HIGHWAY 24  
EAGLE COUNTY, COLORADO

DRB SUBMITTAL SET

MAY 6, 2022

**EGGERS**  
ARCHITECTURE, INC.  
225 MAIN STREET, SUITE C-101  
EDWARDS, COLORADO 81632  
(970) 926-1720  
CELL: (970) 409-9790  
don.eggars@eggersarchitecture.com

**R** RESORT CONCEPTS  
225 MAIN STREET, SUITE C-101  
EDWARDS, COLORADO  
(970) 926-1720

BATTLE MOUNTAIN BARN

013400 HIGHWAY 24  
MINTURN, COLORADO

PROJECT NO: 2313-22

OWNER'S REPRESENTATIVE

RESORT CONCEPTS  
PO BOX 5127  
EDWARDS, COLORADO 81632  
(970) 926-1720

ARCHITECT

EGGERS ARCHITECTURE, INC  
PO BOX 798  
KREMMLING, COLORADO 80459  
(970) 409-9790

STRUCTURAL ENGINEER

SUNDQUIST DESIGN GROUP  
PO BOX 676  
CONIFER, COLORADO 80433  
(303) 838-2222

LANDSCAPE ARCHITECT

TOMINA TOWNSEND  
PO BOX 3000  
EDWARDS, COLORADO 81632  
(303) 945-5252

CIVIL ENGINEER

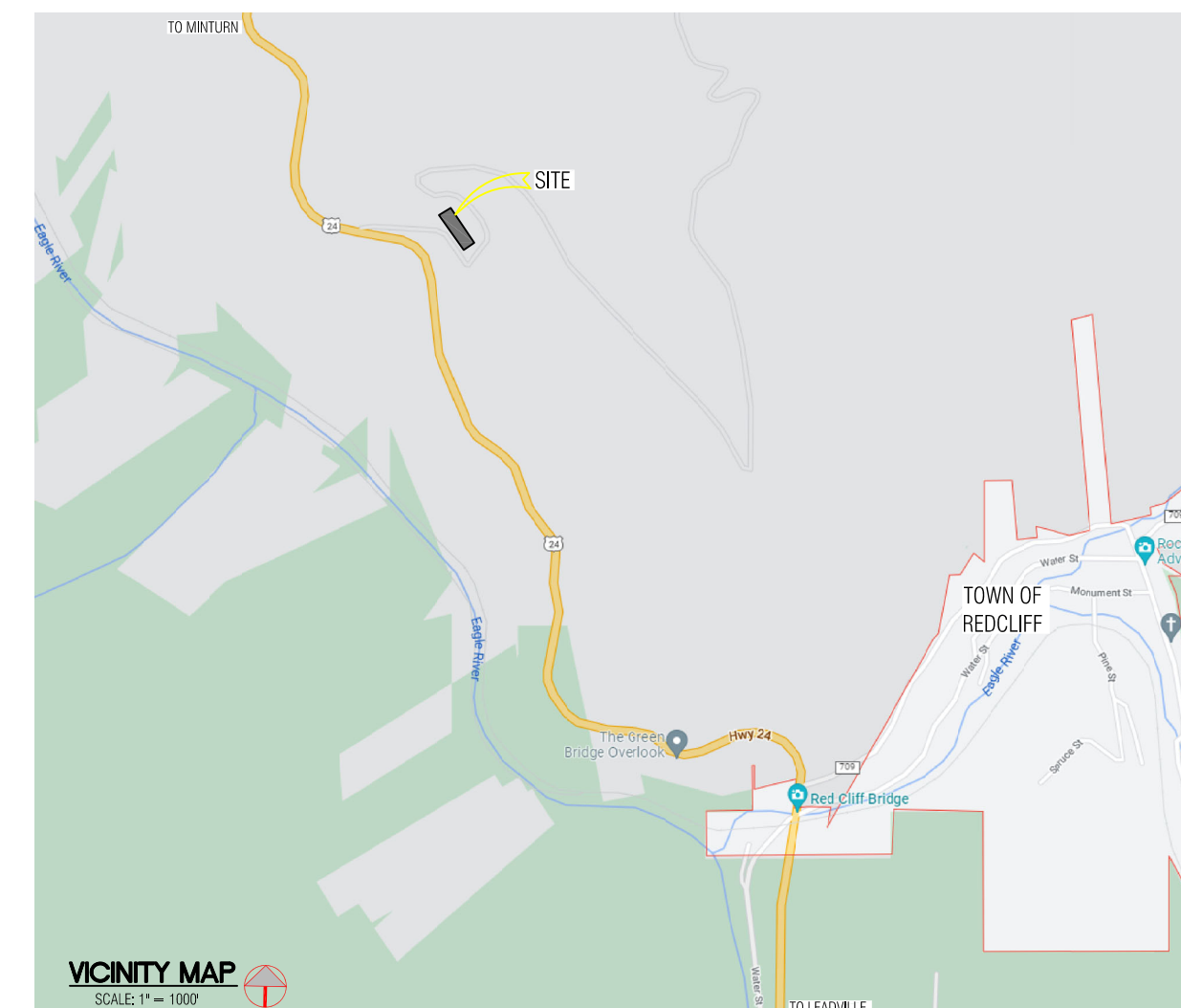
BOUNDARIES UNLIMITED, INC.  
923 COOPER AVENUE, SUITE 201  
GLENWOOD SPRINGS, COLORADO 81601  
(970) 945-5252

SURVEYOR

SLAGLE SURVEY SERVICES  
PO BOX 751  
EAGLE, COLORADO 81631  
(970) 471-1499

GENERAL CONTRACTOR

WT CONSTRUCTION, LLC  
PO BOX 5127  
EDWARDS, COLORADO 81632  
(970) 926-1720



DRAWING SCHEDULE

- C COVER
- TOPO SURVEY SHEET 1 OF 2
- TOPO SURVEY SHEET 2 OF 2
- C1 SITE GRADING & DRAINAGE PLAN
- C2 CIVIL DETAILS AND SPECIFICATIONS
- L1 LANDSCAPE PLAN
- L2 LANDSCAPE DETAILS & SCHEDULES
- A1.1 MAIN LEVEL PLAN
- A1.3 UPPER LEVEL PLAN
- A1.2 ROOF PLAN
- A2.1 BUILDING ELEVATIONS
- A2.2 BUILDING ELEVATIONS
- A3.1 BUILDING SECTIONS

ISSUED	NUMBER	DATE	BY	COMMENTS
	1	5-6-22		DRB SUBMITTAL SET

C

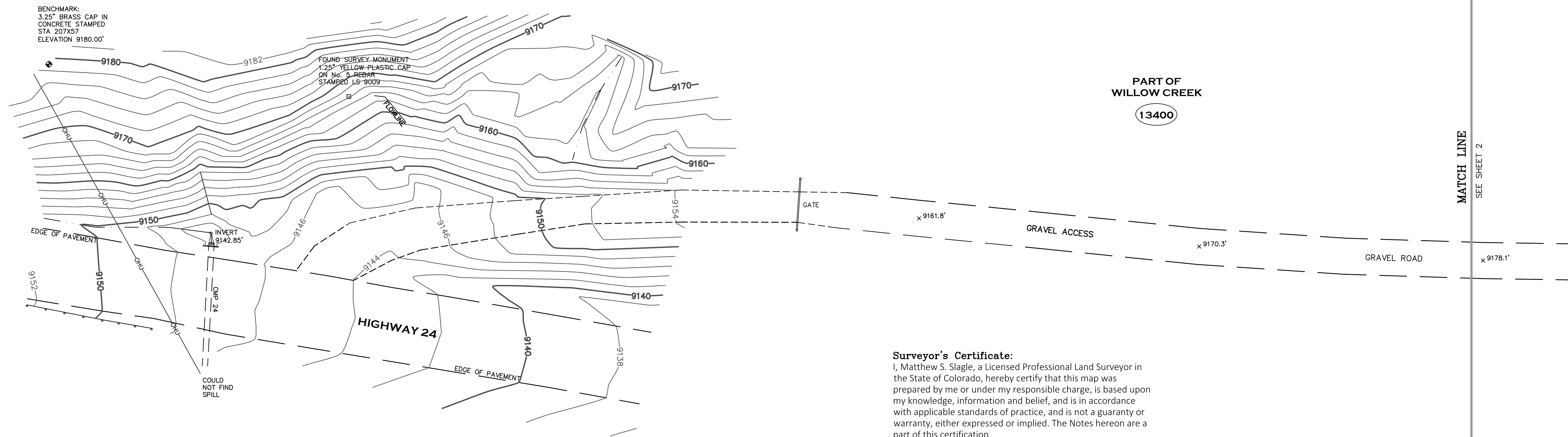
# TOPOGRAPHIC MAP

## 13400 HIGHWAY 24,

### County of Eagle, State of Colorado

**LEGAL DESCRIPTION:**  
 Part of the Southeast Quarter of Section 13, Township 6 South, Range 81 West, and Part of the Southwest Quarter of Section 18, Township 6 South, Range 80 West, of the Sixth Principle Meridian, County of Eagle, State of Colorado.

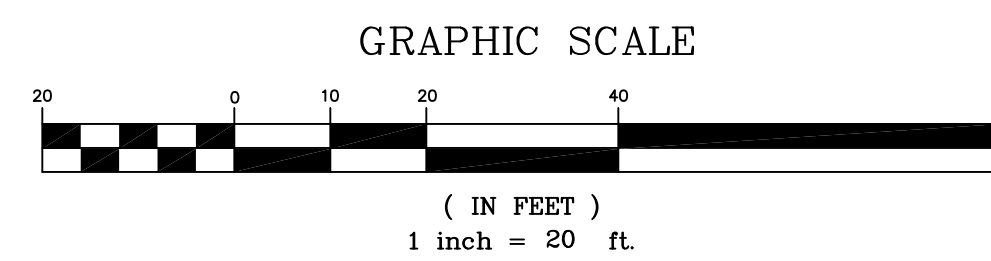
- NOTES:**
- 1) Survey Date: June 22, 2021.
  - 2) Location of Improvements, are based upon the Survey Monuments found at the time of this survey, as shown hereon. This Survey does not constitute a boundary survey. No easements were researched by surveyor for this product.
  - 3) This survey was performed without the aid of a title commitment or title policy.
  - 4) Elevation Datum: 9180.0' on a found CDOT survey monument stamped STA 207x57 being a 3.25" Brass Cap in concrete. This elevation was interpolated off public mapping sources and is based on NAVD 88.
  - 5) Contour Interval: 2 feet.
  - 6) Surveyor does not warrant or certify to the integrity of any Digital Data supplied in conjunction with this map and survey.
  - 7) Street Address: 13400 Highway 24. (Not Posted)
  - 8) This Topographic Survey was prepared for the exclusive use of Resort Concepts, and is valid only if print has original seal and signature of surveyor.
  - 9) Lineal Units are U.S. Survey Feet.



**Surveyor's Certificate:**  
 I, Matthew S. Slagle, a Licensed Professional Land Surveyor in the State of Colorado, hereby certify that this map was prepared by me or under my responsible charge, is based upon my knowledge, information and belief, and is in accordance with applicable standards of practice, and is not a guaranty or warranty, either expressed or implied. The Notes hereon are a part of this certification.



Matthew S. Slagle PLS 34998  
 Professional Land Surveyor  
 State of Colorado



**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.

	<b>SLAGLE SURVEY SERVICES</b> 800 Castle Drive - P.O. Box 751 Eagle, Colorado 81631 970.471.1499 Office matthew@slaglesurvey.com www.SlagleSurvey.com		
	<b>TOPOGRAPHIC MAP</b> <b>13400 HIGHWAY 24,</b> County of Eagle, State of Colorado		
DRAWN BY:	JOB NUMBER:	DRAWING NAME:	
MSS	21058	21058 Topo SSS.dwg	
SHEET	OF	DATE:	
1	2	06-23-2021	









## General Notes and Specifications:

- All areas disturbed by construction and not designated a shrub bed or wildflower seed, shall be planted with the specified native grass seed.
- The contractor shall maintain positive drainage away from all walls and walkways. Fine grading shall be approved prior to planting.
- The Landscape Plan shall be reviewed on site prior to installation to ensure planting meets the intent of the design guidelines and county wildfire mitigation standards.
- All proposed juniper to be limbed to 10'-0" above grade per Eagle County Wildfire Regulations.
- Quantity and location of "natural" shrub plantings within Wildfire Mitigation Zone 2 shall be subject to field review by Eagle County Wildfire Mitigation Officer.
- See Civil Engineering sheets for final grading and drainage.
- Snow Storage area shall be a min. of 25% of all driveway and parking areas.

## Water Wise Irrigated Sod:

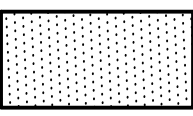
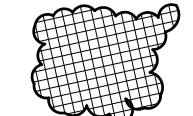
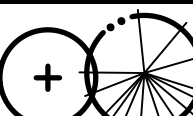
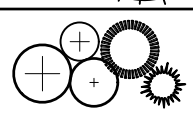
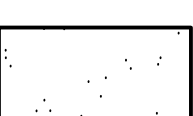
- Irrigated sod shall be a Tall Fescue Mix called "Elite Plus" provided by Greenlawn Sod Company in Fort Collins, Colorado.

## Revegetation Notes:

- Seed shall be broadcast and raked to 1/4" depth.
- Apply Biodegradable Green Dyed-Wood Cellulose-Fiber Mulch to all seeded Areas at a rate of 20 lbs. per 1,000 s.f.
- Prior to seeding, apply min. 6" topsoil, 10 lbs./1,000 s.f. Superphosphate and 40 lbs./1,000 s.f. Biosol Complete Fertilizer.

## Fire Mitigation Notes:

- Zone 1 (15' from building and integral planting): no flammable plants shall be planted within 15' of the structure or attachments.
- Zone 2 (70' from building and Integral planting): a 10' crown separation must be maintained for all conifers and shrubs over 4'. A 4' crown separation must be maintained for shrubs under 4'.
- Plants listed on forest service publication 6,305 FireWise Plant Material can be used in any zone.
- Existing junipers within Zone 1 and Zone 2 must be limbed 1/2 of their total height, but no more than 10'.
- Dead limbs shall be removed from all existing Serviceberries within Zone 1 or Zone 2.
- Final existing vegetation to be limbed or removed will be subject to the constraints of the final unit site plans and reviewed on site with a representative from the Eagle County Wildfire Mitigation, and Owner's Representative on a unit by unit basis prior to construction.

Legend & Irrigation Calculations		
Permanent Irrigation		Square Footage of Irrigation
	Permanent Pop-Up Spray Irrigation For Fescue Mix Sod	0 SF
	Permanent Pop-Up Spray Irrigation For Annual/Perennial Beds	0 PERENNIALS
	Permanent Drip Irrigation For B&B Trees	38 TREES x 4.5 SF = 171 SF
	Permanent Drip Irrigation For 5 gal. Shrubs	0 SHRUBS
Temporary Irrigation		
	Temporary Spray Irrigation For Estab. of Native & Wildflower Seed	4,150 SF

### NOTE:

- See Civil Engineering sheets for final grading and drainage.

### IRRIGATION NOTES:

- Design Criteria: Design automatic underground irrigation system to uniformly irrigate all planting areas. Zone irrigated turf grass and shrub planting areas separately. Provide drip irrigation for shrub beds. Provide minimum 12 inch pop-up spray heads in annual, perennial, and groundcover beds. Design rotors for turf grass areas more than 40' wide, pop-up spray heads for areas less than 40' wide.
- All Trees, shrubs and annual/perennial beds to be drip irrigated

## PROPOSED PLANT MATERIAL LIST:

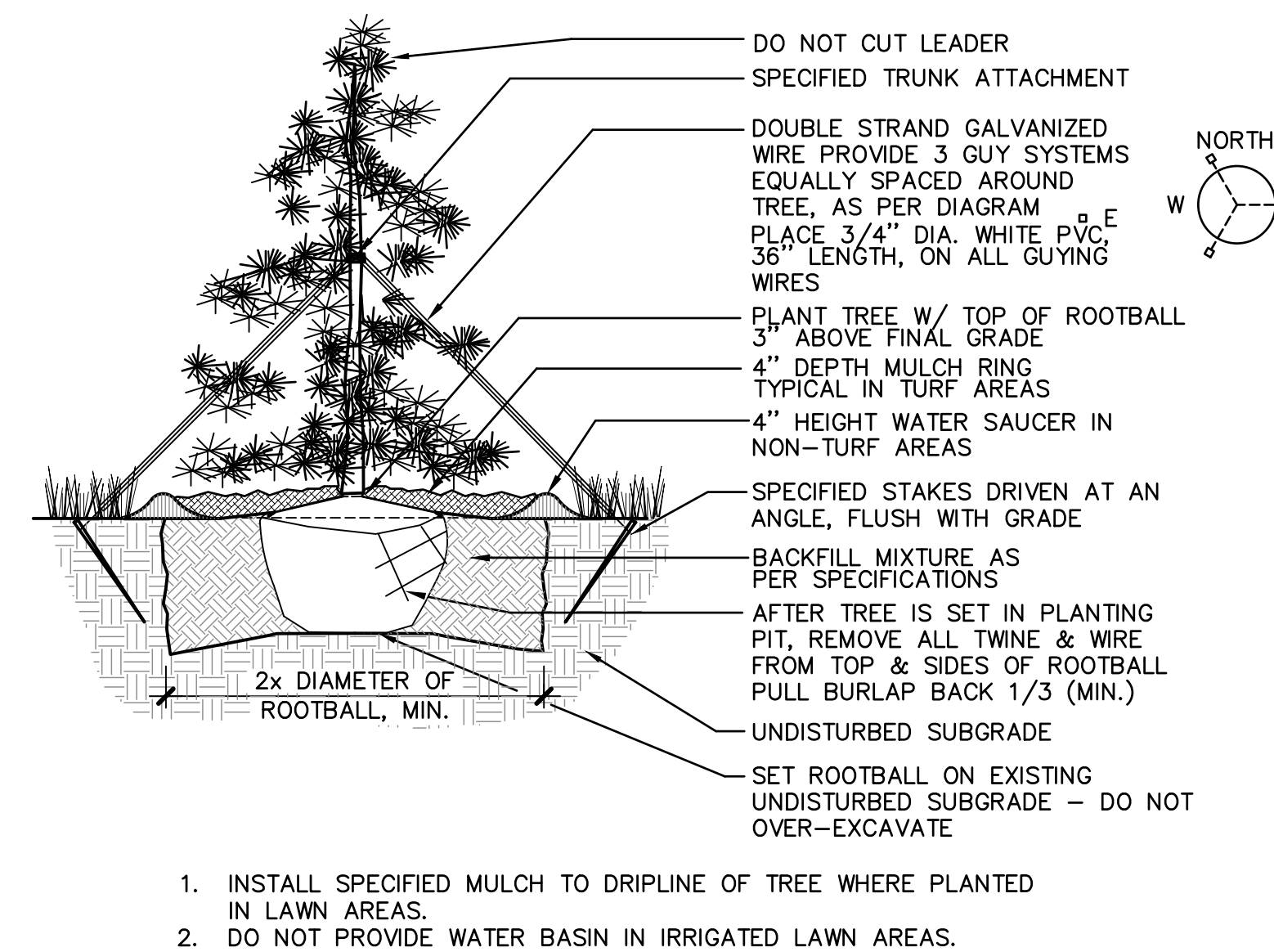
QUAN.	COMMON/ BOTANICAL NAME	FIRE MITIGATION ZONE	SIZE	COMMENTS
<b>EVERGREEN TREES</b>				
3	Colorado Spruce <i>Picea pungens</i>	2	8' ht.	Specimen quality B&B, staked
5	Colorado Spruce <i>Picea pungens</i>	2	10' ht.	Specimen quality B&B, staked
4	Colorado Spruce <i>Picea pungens</i>	2	12' ht.	Specimen quality B&B, staked
<b>DECIDUOUS TREES</b>				
6	Native Chokecherry <i>Prunus virginiana melanocarpa</i>	1 & 2	clump form (3" equivalent)	Specimen quality B&B, guyed
20	Quaking Aspen <i>Populus tremuloides</i>	1 & 2	3" cal.	Specimen quality B&B, guyed

## NATIVE SEED REVEGETATION MIX (ROADWAY MIX):

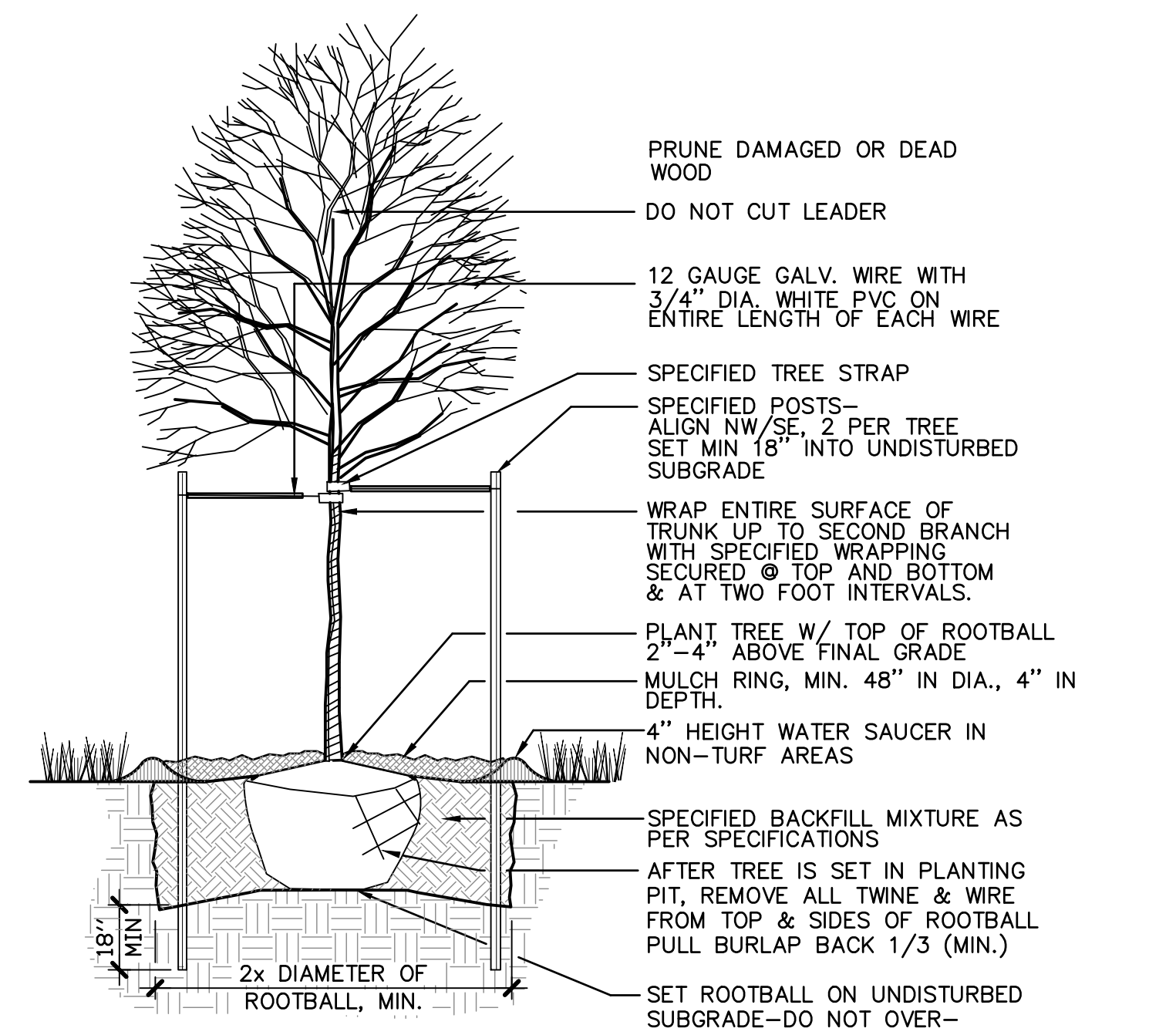
Scientific Name	Variety	Percent
Bluebunch Wheatgrass <i>Agropyron spicatum</i>	Secar	9.77
Slender Wheatgrass <i>Agropyron trachycaulum</i>	Revenue	28.28
Western Wheatgrass <i>Agropyron smithii</i>	Arriba	47.58
Sheep Fescue <i>Festuca ovina</i>	MX-86	10.08
Seeding Rate: 25 PLS Pounds/Acre		

## NATIVE SEED REVEGETATION MIX (NDN-ROADWAY MIX):

Scientific Name	Variety	Percent
Bluebunch Wheatgrass <i>Agropyron spicatum</i>	Secar	26.26
Slender Wheatgrass <i>Agropyron trachycaulum</i>	Revenue	26.14
Western Wheatgrass <i>Agropyron smithii</i>	Arriba	14.03
Sheep Fescue <i>Festuca ovina</i>	MX-86	9.94
Arizona Fescue <i>Festuca arizonica</i>	Redondo	8.09
Canby Bluegrass <i>Poa canbyi</i>		5.44
Bottlebrush Squirreltail <i>Elymus elymoides</i>		4.25
Prairie Junegrass <i>Koeleria macrantha</i>		1.81
Seeding Rate: 20 PLS Pounds/Acre		



**1** EVERGREEN TREE PLANTING  
NOT TO SCALE



**2** DECIDUOUS TREE PLANTING  
NOT TO SCALE



LANDSCAPE ARCHITECT:  
TOMINA TOWNSEND, LA  
PO BOX 3000, PMB 301  
EDWARDS, CO 81632  
P. 303.572.7876  
TTownsend@ResortConceptsCO.com

BATTLE MOUNTAIN BARN  
TOWN OF MINTURN  
COUNTY OF EAGLE, STATE OF COLORADO

DESIGNED: TT  
DRAWN: TT  
CHECKED: RH/JT  
DATE: MAY 6, 2022  
REVISIONS:

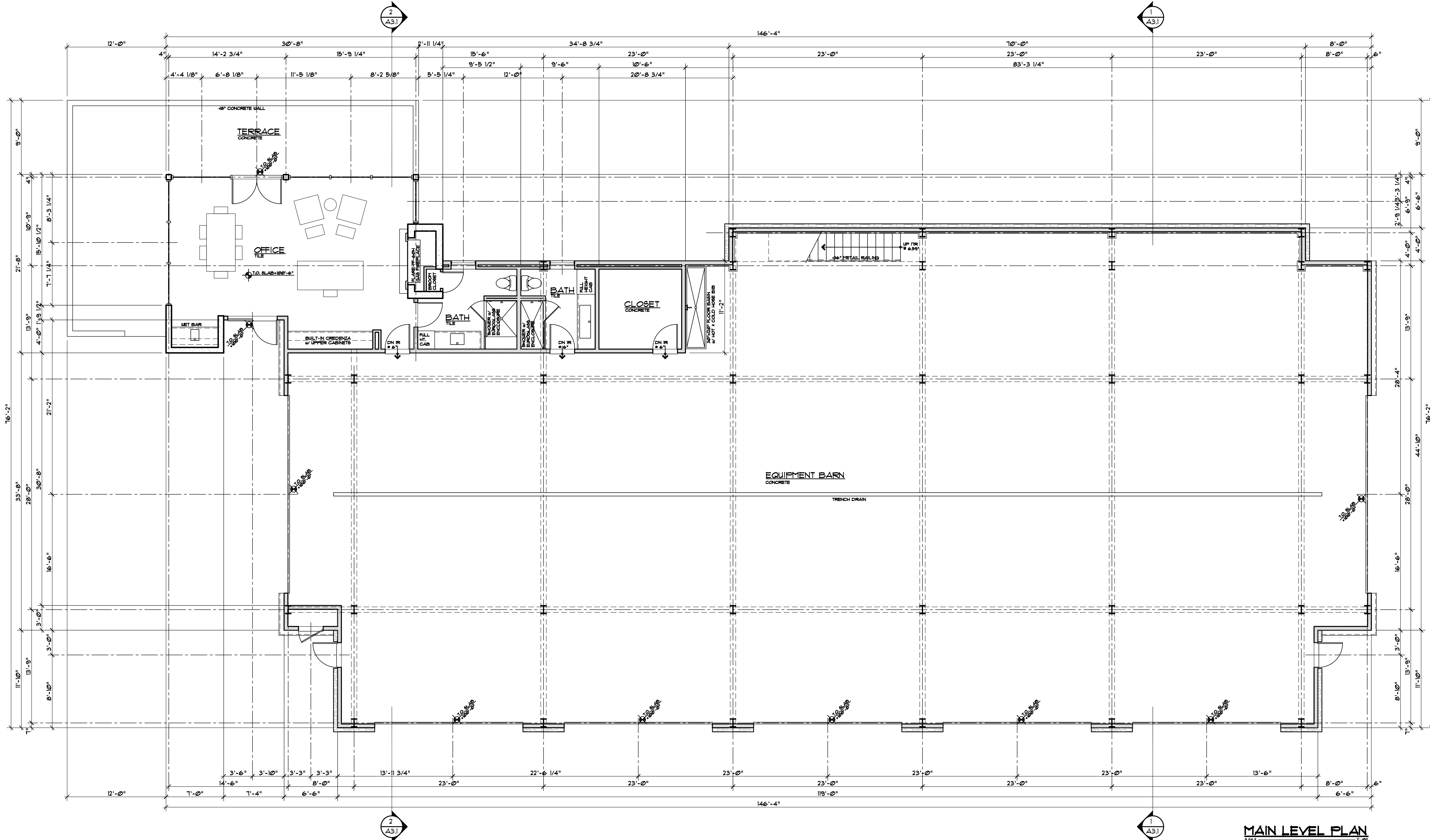
DRB SUBMITTAL  
SHEET TITLE:  
LANDSCAPE  
NOTES & DETAILS

SCALE: 1"=10'-0"

SHEET NUMBER:

**L2**





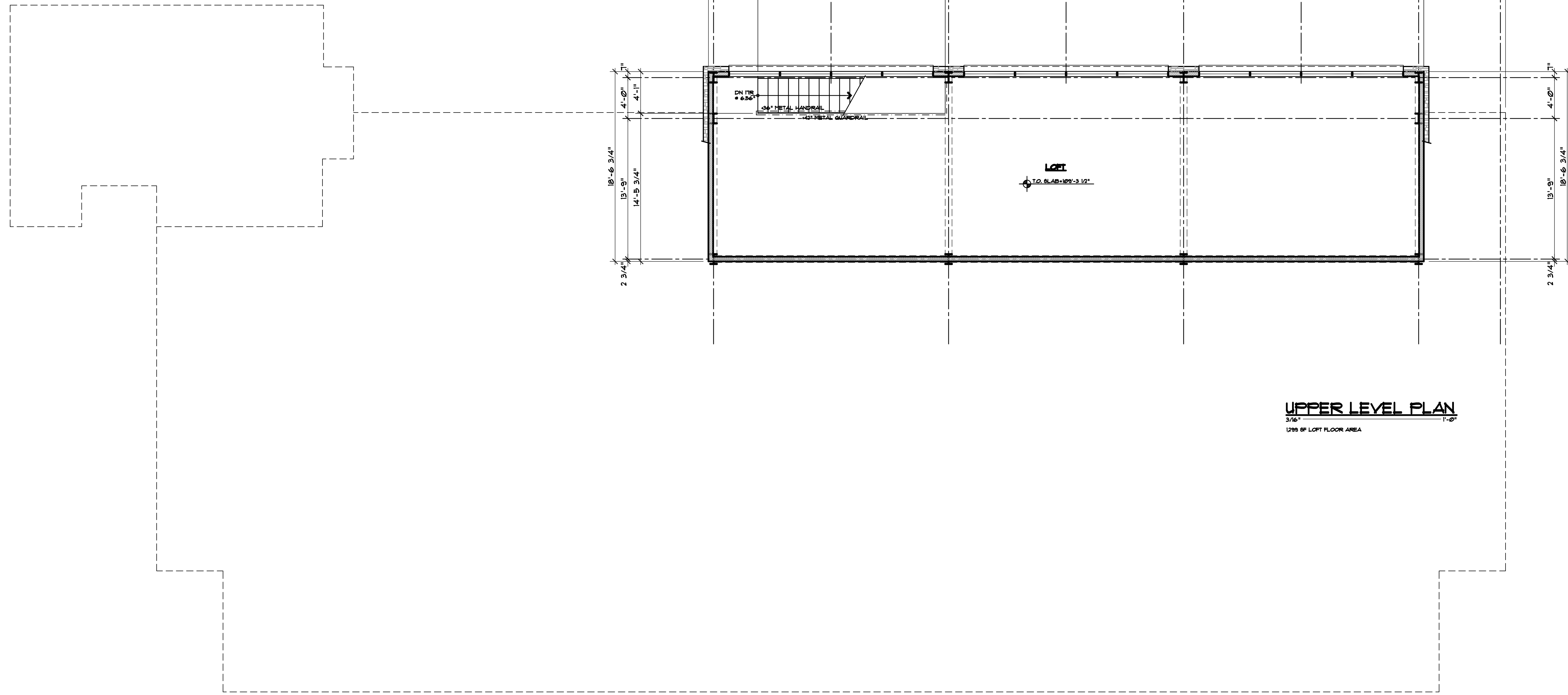
**MAIN LEVEL PLAN**  
 3/8" = 1'-0"  
 1,042 SF SHOP FLOOR AREA  
 1,042 SF SHED & EQUIPMENT AREAS  
 801 SF TOTAL FLOOR AREA

**BATTLE MOUNTAIN BARN**  
 013400 HIGHWAY 24  
 MINTURN, COLORADO

PROJECT NO: 2313-22

ISSUED NUMBER	DATE	BY	COMMENTS
1	5-6-22	DUE	CRIB SUBMITTAL SET

**A1.1**



**UPPER LEVEL PLAN**  
3/8" = 1'-0"  
 1200 SF LOFT FLOOR AREA

**A1.2**

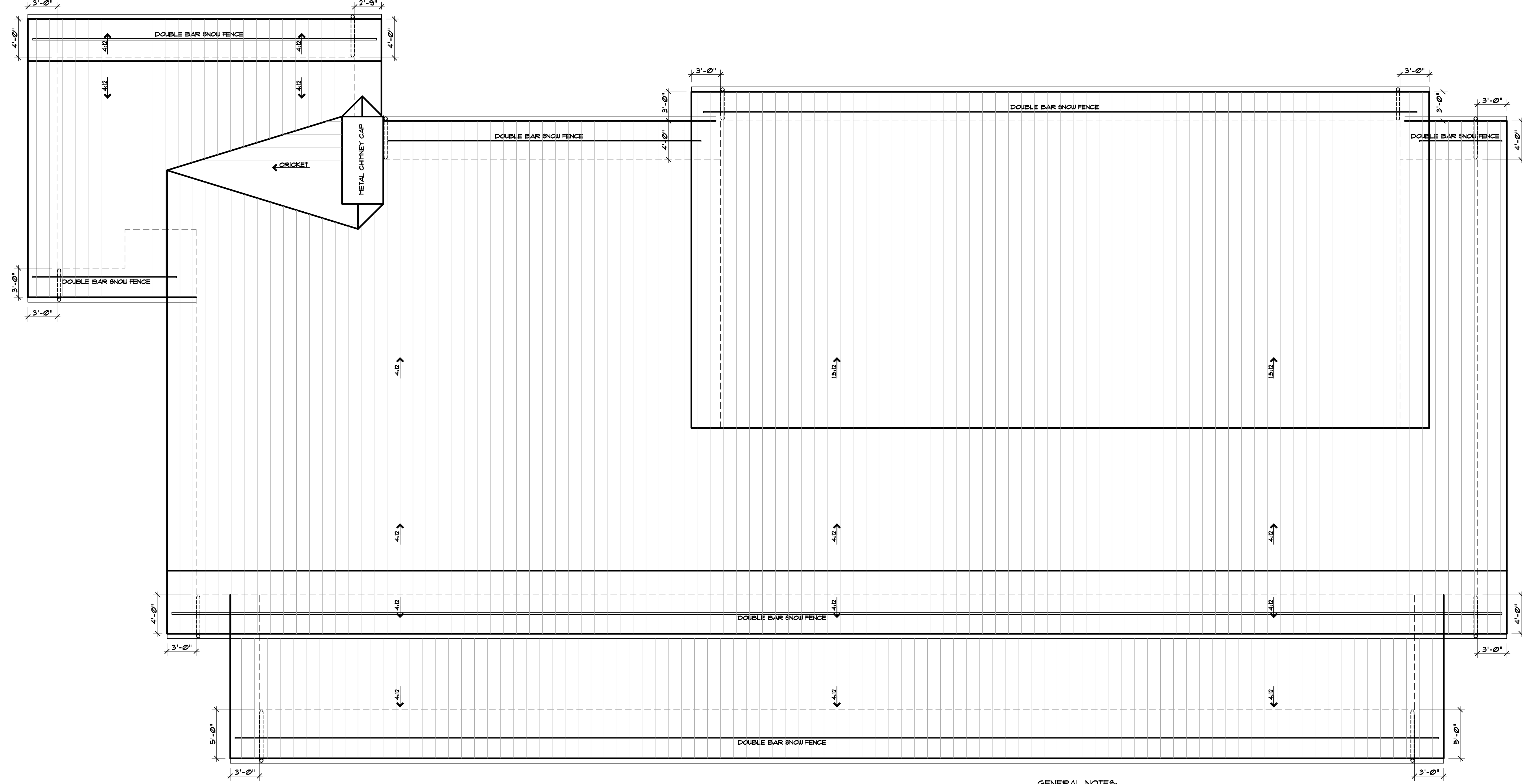
ISSUED		DATE	BY	COMMENTS
1	5-6-22	DWE	DRS	DRS SUBMITTAL SET

PROJECT NO: 2313-22

**BATTLE MOUNTAIN BARN**  
 013400 HIGHWAY 24  
 MINTURN, COLORADO

**RESORT CONCEPTS**  
 225 MAIN STREET, SUITE C-101  
 EDWARDS, COLORADO  
 81630  
 970.724.2411  
 970.926.1720

**EGGERS**  
 ARCHITECTURE, INC.  
 1000 W. 10TH AVE. SUITE 100  
 DENVER, CO 80202  
 303.733.8811  
 303.733.8811  
 don.eggars@eggersarchitecture.com



**GENERAL NOTES:**  
 1. ALL ROOFING MATERIALS ARE MECHANICALLY BEAMED STANDING BEAM METAL ROOFING WITH BEAM TAPE OVER HIGH TEMP ICE & WATERSHIELD.  
 2. ROOFING MATERIAL IS CORTEN METAL.  
 3. DRIP EDGE, FLASHINGS & VALLEY TRIMS ARE CORTEN.  
 4. 6" GUTTERS WITH 4" DOWNSPOUTS ARE PRE-FINISHED METAL IN BLACK COLOR WITH BEAM TAPE TO DAYLIGHT.  
 5. SNOW FENCE IS DOUBLE BAR WITH BRACKETS ATTACHED TO STANDING BEAM RISER IN BLACK COLOR.

**ROOF PLAN**  
 3/4" = 1'-0"

**ISSUED**

NUMBER	DATE	BY	COMMENTS
1	5-6-23	DUE	DRB SUBMITTAL SET

PROJECT NO: 2313-22

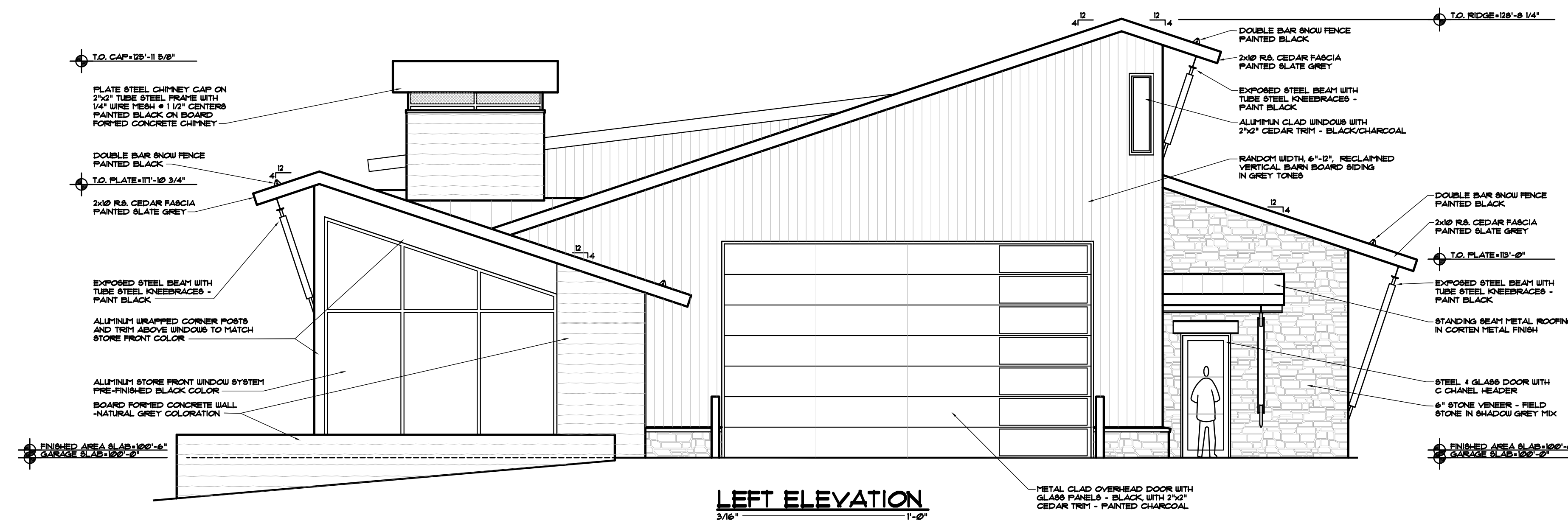
**BATTLE MOUNTAIN BARN**

013400 HIGHWAY 24  
 MINTURN, COLORADO

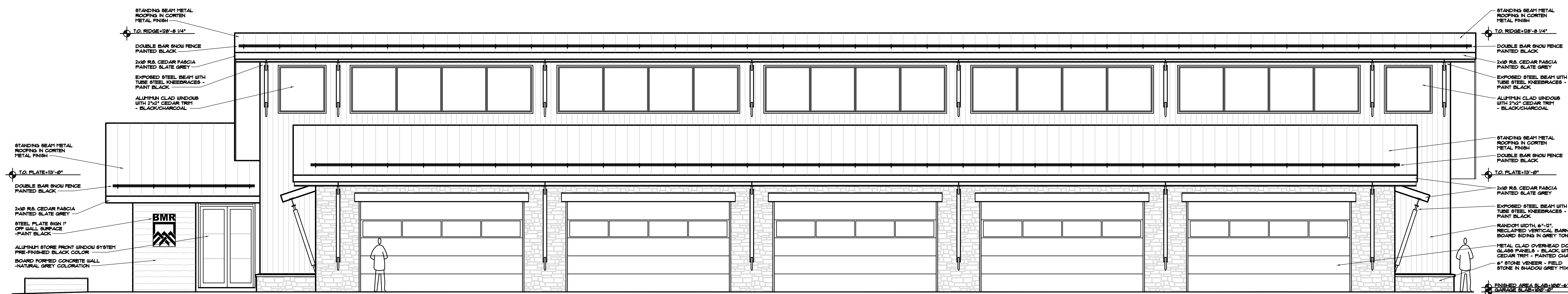
**RESORT CONCEPTS**  
 325 MAIN STREET, SUITE C-101  
 EDWARDS, COLORADO  
 (970) 926-1720

**EGGERS ARCHITECTURE, INC.**  
 1000 13TH AVENUE, SUITE 100  
 BOULDER, COLORADO  
 (970) 224-3411  
 CELL: (970) 489-9790  
 don.eggert@eggersarchitecture.com

**A1.3**



**LEFT ELEVATION**  
3/16" 1'-0"



**FRONT ELEVATION**  
3/16" 1'-0"

ISSUED NUMBER	DATE	BY	COMMENTS	DWG	DWG SUBMITTAL SET
1	5-6-22				

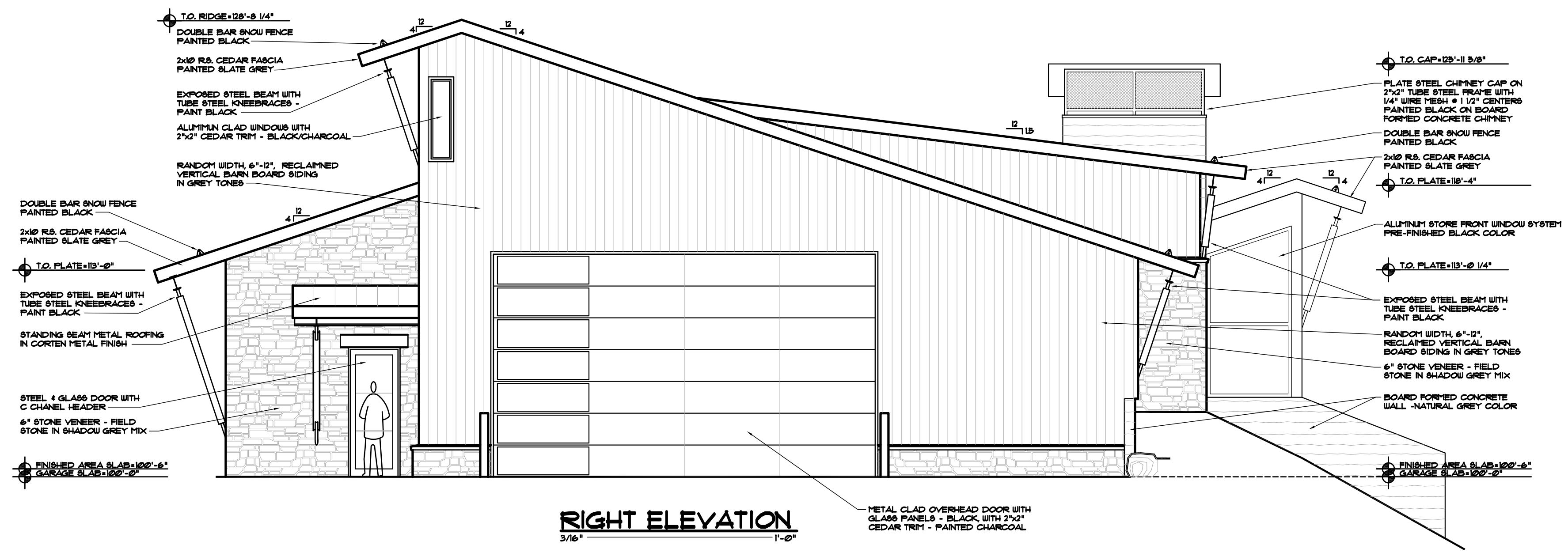
**BATTLE MOUNTAIN BARN**

013400 HIGHWAY 24  
 MINTURN, COLORADO

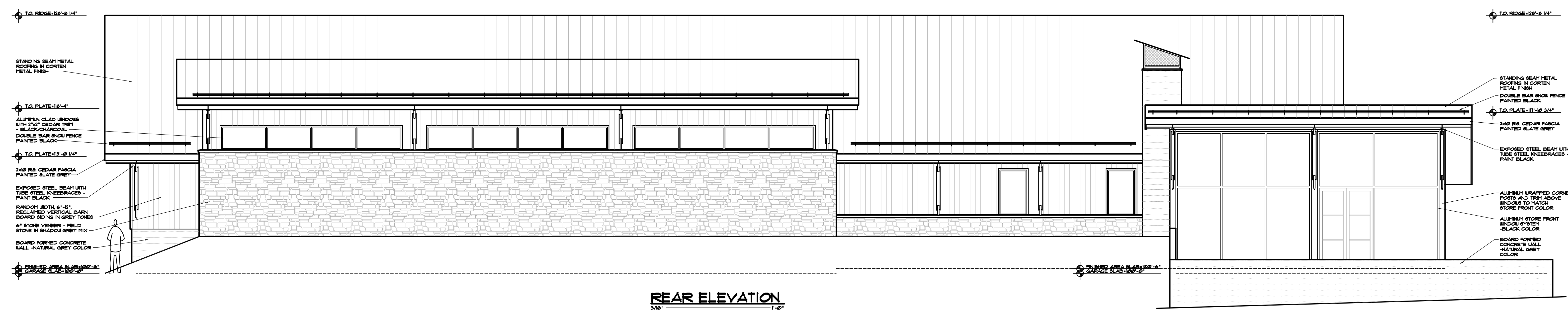
PROJECT NO: 2313-22

ISSUED NUMBER	DATE	BY	COMMENTS
1	5-6-22	DUE	DRE SUBMITTAL SET

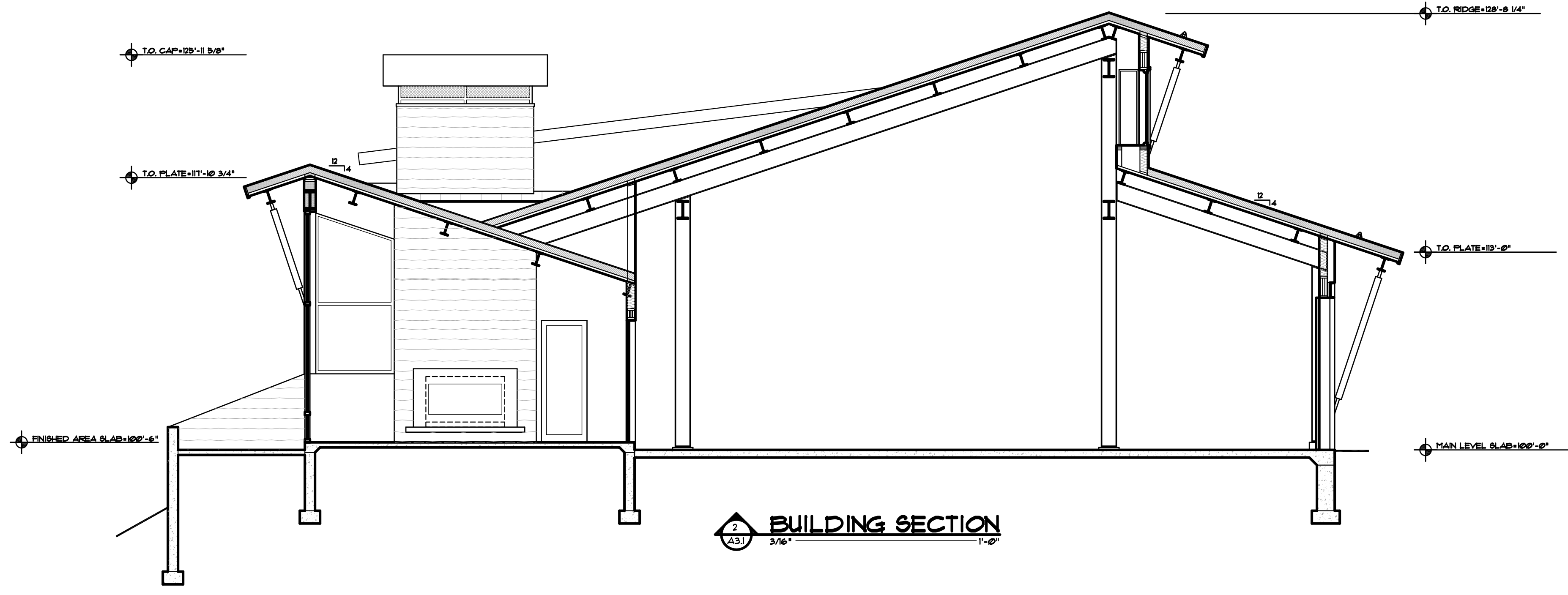
**A2.2**



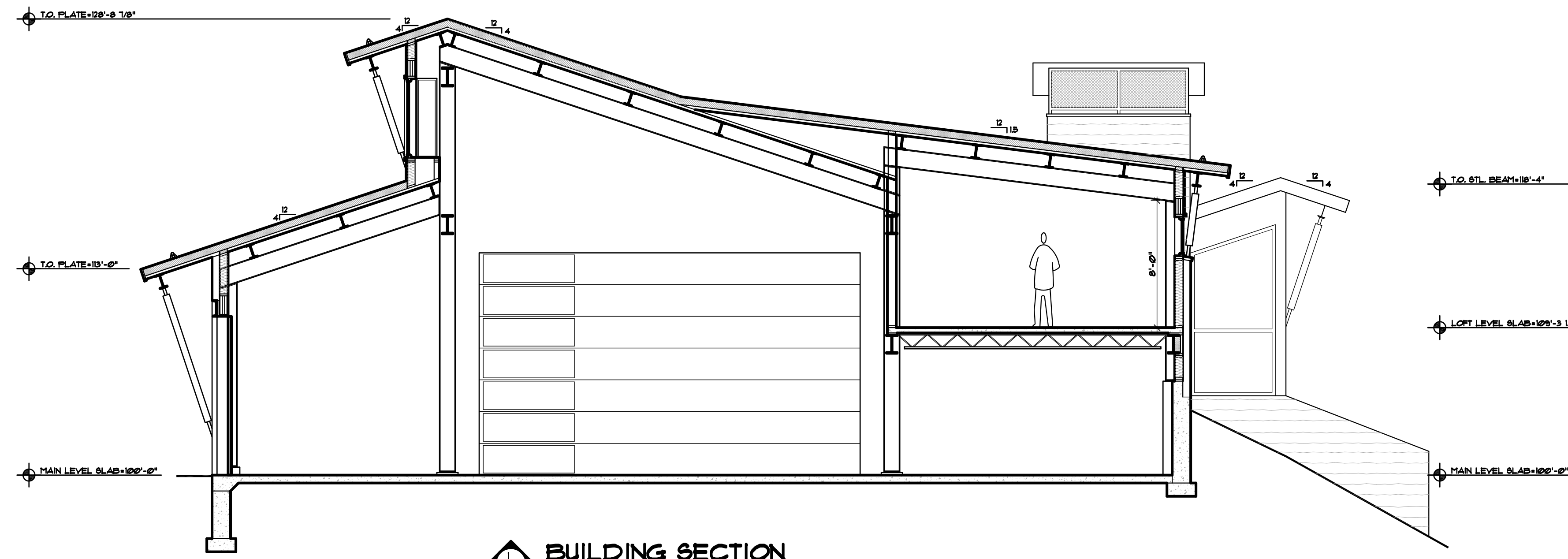
**RIGHT ELEVATION**  
 3/8" = 1'-0"



**REAR ELEVATION**  
 3/8" = 1'-0"



**BUILDING SECTION**  
3/8" = 1'-0"



**BUILDING SECTION**  
3/8" = 1'-0"

**EGGERS**  
ARCHITECTURE, INC.  
PO BOX 798  
KREMATING, CO 80459  
(970) 724-5311  
CELL: (970) 489-9790  
don.eggars@eggarsarchitecture.com

**RESORT CONCEPTS**  
222  
MAIN STREET, SUITE C-101  
EDWARDS, COLORADO  
(970) 926-1720

**BATTLE MOUNTAIN BARN**  
013400 HIGHWAY 24  
MINTURN, COLORADO

PROJECT NO: 2313-22

ISSUED NUMBER	DATE	BY	COMMENTS
1	5-6-22	DUE	DRE SUBMITTAL SET

**A3.1**



DISCLAIMER: THIS IS AN ARTIST'S REPRESENTATION BASED ON CURRENT DEVELOPMENT CONCEPTS AND ARE INTENDED FOR ILLUSTRATION PURPOSES ONLY.

# BATTLE MOUNTAIN BARN

DESIGN REVIEW - 3D VIEWS  
MAY 6, 2022

EGGERS  
ARCHITECTURE, INC

AXIS  
DESIGN

RESORT CONCEPTS



DISCLAIMER: THIS IS AN ARTIST'S REPRESENTATION BASED ON CURRENT DEVELOPMENT CONCEPTS AND ARE INTENDED FOR ILLUSTRATION PURPOSES ONLY.

# BATTLE MOUNTAIN BARN

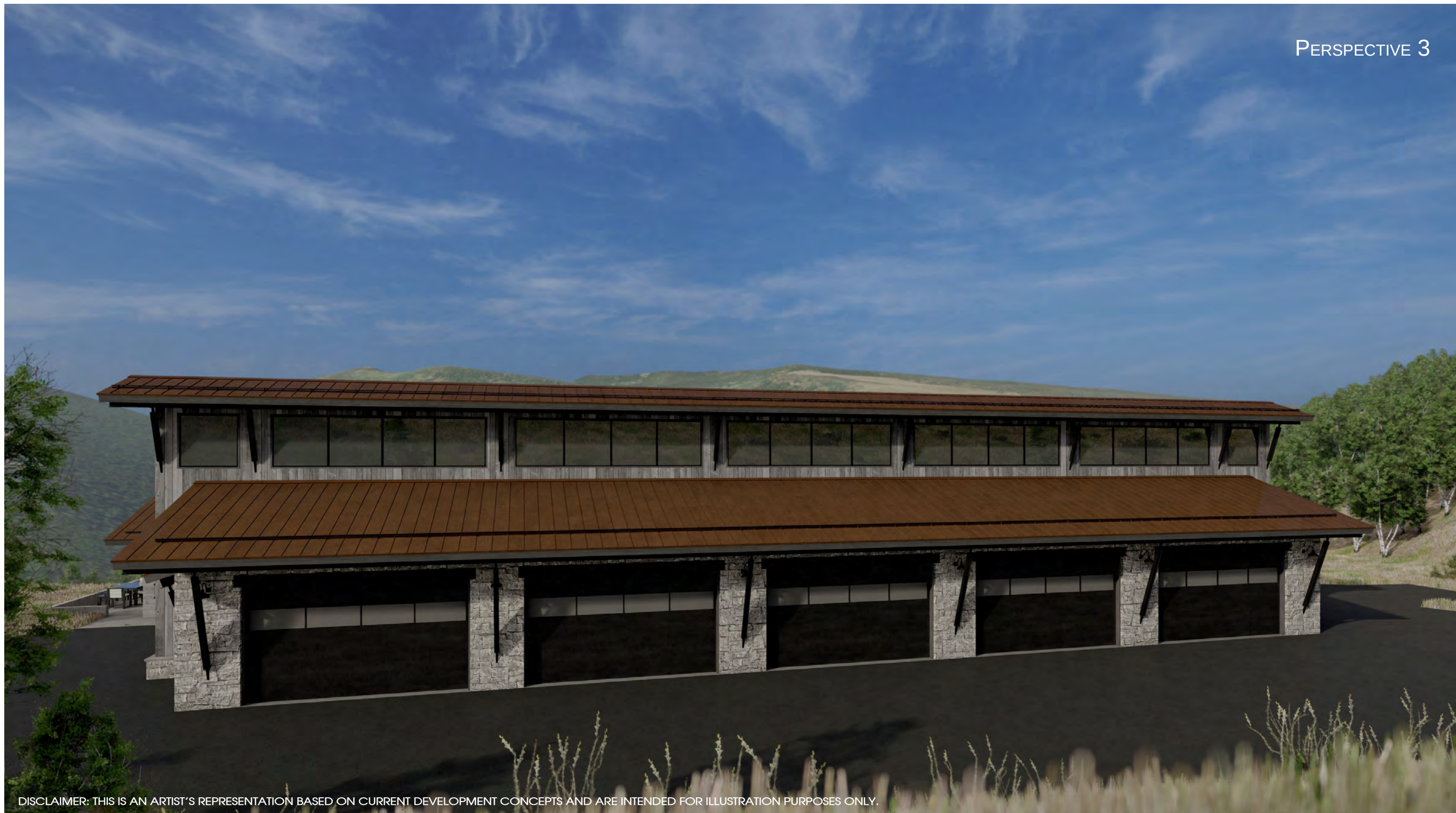
DESIGN REVIEW - 3D VIEWS  
MAY 6, 2022

EGGERS  
ARCHITECTURE, INC

AXISVU  
DESIGN

 RESORT CONCEPTS





DISCLAIMER: THIS IS AN ARTIST'S REPRESENTATION BASED ON CURRENT DEVELOPMENT CONCEPTS AND ARE INTENDED FOR ILLUSTRATION PURPOSES ONLY.

# BATTLE MOUNTAIN BARN

DESIGN REVIEW - 3D VIEWS  
MAY 6, 2022

EGGERS  
ARCHITECTURE, INC

AXIS  
DESIGN



RESORT CONCEPTS



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# BATTLE MOUNTAIN BARN

DESIGN REVIEW - 3D VIEWS  
MAY 6, 2022

EGGERS  
ARCHITECTURE, INC

AXISVU  
DESIGN



RESORT CONCEPTS



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# BATTLE MOUNTAIN BARN

DESIGN REVIEW - 3D VIEWS  
MAY 6, 2022

EGGERS  
ARCHITECTURE, INC

AXISVU  
DESIGN

 RESORT CONCEPTS



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# BATTLE MOUNTAIN BARN

DESIGN REVIEW - 3D VIEWS  
MAY 6, 2022

EGGERS  
ARCHITECTURE, INC

AXIS  
DESIGN

RESORT CONCEPTS



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# BATTLE MOUNTAIN BARN

DESIGN REVIEW - 3D VIEWS  
MAY 6, 2022

EGGERS  
ARCHITECTURE, INC

AXIS  
DESIGN



RESORT CONCEPTS



LiteStone Flat Shadow Grey  
Stone Veneer



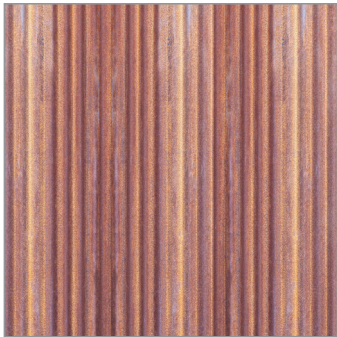
Fascia and Trim Boards  
2"x10" per Plans  
Color: Custom Stain



Siding - Varying Barn Wood  
2"x10" - Butt Joint  
Color: Custom Stain



Windows and Doors  
Mfg: Sierra Pacific  
Color: Slate Gray



Roofing  
Corrugated Metal  
Color: Rust Finish



Exterior Lighting  
Mfg: Hinkley Forge 16 1/2" High  
Black Outdoor Wall Light  
Color: Satin Black



Exterior Lighting  
Mfg: Hinkley Mist 28.5"  
Color: Satin Black



To: Mayor and Council  
From: Jay Brunvand  
Date: October 6, 2021  
Agenda Item: Consideration of a wine tasting room

---

**REQUEST:**

Staff is requesting Council to review and approve the attached Application for Colorado Liquor Sales Room (wine tasting room) to be located at the barn at 152 Main St.

**INTRODUCTION:**

This application is to open a tasting room associated with Wild Mountain Cellars, LLC and is tied to their winery located near Palisade, CO. This is a very specific application and has very limited conditions of which a municipality may deny the application.

**The conditions for denial are:**

- 1) Traffic, noise, or other neighborhood concerns in a manner that is inconsistent with local regulations
- 2) Granting the permit would result in violations of the Colorado Liquor Code or local laws
- 3) Issuance would violate local zoning laws

State law states this application for a Sales Room will be granted to the entity unless any of the three conditions apply. In the opinion of staff, none of the conditions apply. Attached please find Colorado Dept of Revenue Bulletin 14-02 which is a good summary of the request, application, and guidelines.

**ANALYSIS:**

Not Applicable

**COMMUNITY INPUT:**

Not Applicable

**BUDGET / STAFF IMPACT:**

The state does not allow a fee for this application.

**STRATEGIC PLAN ALIGNMENT:**

In accordance with Strategy #4 the Town will advance decisions/projects/initiatives that expand future opportunity and viability for Minturn. Both as an employer and a sales tax contributor these businesses each help further Minturn.

**RECOMMENDED ACTION OR PROPOSED MOTION:**

This item is approved on the Consent Agenda, no separate motion is required.

**ATTACHMENTS:**

- Application and supporting documentation.

## Application for Colorado Liquor Sales Room

### Regulation 47-428, 1 C.C.R. 203-2

<input type="checkbox"/> Malt Liquor <input checked="" type="checkbox"/> Limited Winery <input type="checkbox"/> Winery <input type="checkbox"/> Distillery		<input type="checkbox"/> Temporary (3 days or less)		<input checked="" type="checkbox"/> Permanent	
1. Name of Applicant exactly as it appears on your current Colorado Liquor License.					
Wild Mountain Cellars, LLC					
2. Trade Name of Applicant					
Wild Mountain Cellars					
3. State Sales Tax No.			Applicant Liquor License No.		
41656771-0000			03-12049		
4. Business Address of Applicant (Number and Street)			City	State	ZIP
PO Box 7421			Avon	CO	81620
5. Mailing Address (Number and Street)			City	State	ZIP
PO Box 7421			Avon	CO	81620
6. Phone Number			7. Email Address		
970-376-8835			dreamski@hotmail.com		
8. Sales Room Location (Full Address)			9. Dates of Events: From Date: _____ Time: _____ <input type="checkbox"/> AM <input type="checkbox"/> PM		
The Barn at 152 Main St, Minturn, CO 81645			To Date: _____ Time: _____ <input type="checkbox"/> AM <input type="checkbox"/> PM		
10. Rights to Premises Granted by: (attach a copy of the Premises Use Authorization letter or lease if not previously submitted)					
Helen's House					
11. Renting/Leasing % Basis		12. If Yes, List % and Interested Party. Use Additional Sheet if Necessary.			
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
13. Alcohol will be sold (check all that apply)					
<input checked="" type="checkbox"/> For on-premises consumption (if selected, please file this application with the Local Licensing Authority and the State Licensing Authority)					
<input checked="" type="checkbox"/> For off-premises consumption					
14. The Sales Room Applicant affirms they have complied with local zoning restrictions?					
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					
15. Additional Required Documents					
<input checked="" type="checkbox"/> Attach an outlined diagram of proposed premises					
<input checked="" type="checkbox"/> Attach a copy of the premises control plan describing how the premises will be controlled to ensure compliance with liquor code and rules. It must include restricting sales to minors and visibly intoxicated persons and insuring that customers cannot leave the premises with an open container of alcohol.					
<input checked="" type="checkbox"/> Attach a copy of any contracts and/or operating agreements pertaining to the sales room.					
Local Licensing Authority Name			Date Application Copy Submitted to Local Licensing Authority		
TOWN of MINTURN			6/16/22		
Oath of Applicant: I declare under penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge. I also acknowledge that it is my responsibility and the responsibility of my agents and employees to comply with the provisions of the Colorado Liquor, Beer Code and Liquor Rules which affects my permit.					
Applicant Signature		Title		Date	
Mark Miller		Owner/Winemaker		06/15/2022	
<b>Notice to Local Licensing Authority</b>					
<p>This application for a Sales Room will be granted to the above name applicant unless any of the below listed conditions apply. If any of these conditions apply please contact the State Licensing Authority immediately.</p> <input type="checkbox"/> Issuance of this permit would impact traffic, noise, or other neighborhood concerns in a manner that is inconsistent with local regulations or ordinances. <input type="checkbox"/> If granted this permit would result in violations of the Colorado liquor code or the laws of the local government. (specify) <input type="checkbox"/> Issuance of this permit would violate local zoning laws.					
<p>For events lasting <u>three consecutive days or less</u>, the Local Licensing Authority has <b>ten (10) business days</b> to submit its determination to the State Licensing Authority.</p> <p>For events lasting <u>four or more consecutive days</u>, the Local Licensing Authority has <b>forty-five (45) days</b> to submit its determination to the State Licensing Authority.</p> <p>Local Licensing Authorities can send the approval via mail or email to dor_lqlicensing@state.co.us</p> <p>If the Local Licensing Authority does not submit a response or determination within the time specified, the State Licensing Authority shall deem that the Local Licensing Authority has determined that the proposed sales room will not impact traffic, noise, or other neighborhood concerns in a manner that is inconsistent with local regulations or ordinances or that the applicant will sufficiently mitigate any impacts identified by the Local Licensing Authority.</p>					
Licensing Authority Signature		Local Licensing Authority Contact Name		Phone Number	
<input type="checkbox"/> Object <input type="checkbox"/> Do Not Object					

If the Local Licensing Authority objects to the sales room, provide a separate page with details of the objection.

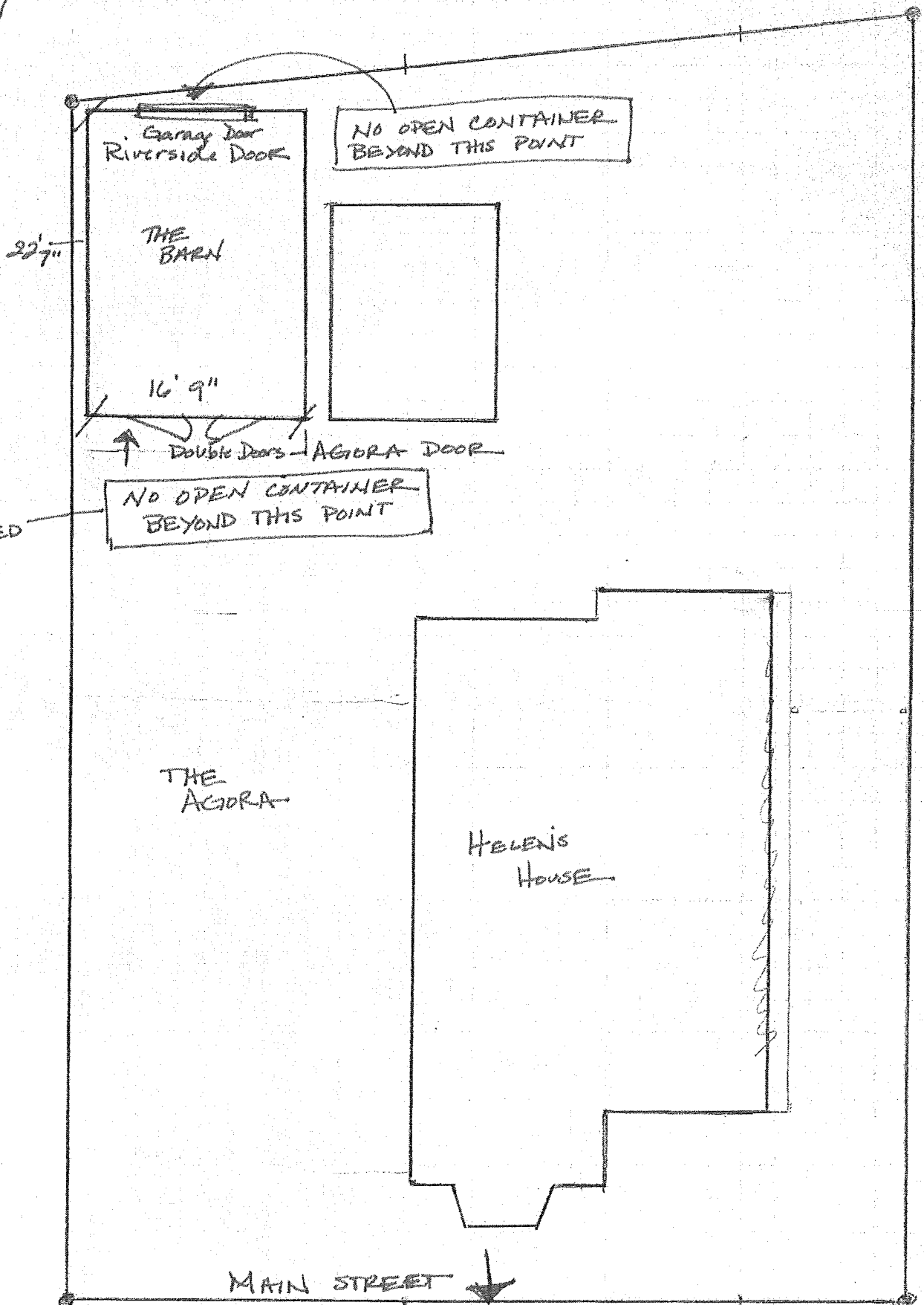


DIAGRAM

EAGLE RIVER

WILD MOUNTAIN  
CELLARS  
MINVERN  
TASTING  
ROOM

EAGLE STREET





## COLORADO

### Department of Revenue

Enforcement Division - Liquor & Tobacco

Physical Address:  
1881 Pierce Street  
Lakewood, CO 80214

Mailing Address:  
P.O. Box 173350  
Denver, CO 80217-3350

BULLETIN 14-02

REFERENCE: MANUFACTURER SALESROOM GUIDE

October 21, 2014

## Colorado Liquor Enforcement Division

### Guide To Manufacturer Salesrooms Applications for Vinous and Spirituous Liquor

The Colorado Liquor Enforcement Division (Division) recognizes the growth and popularity of manufacturer sale rooms (MSR) for wineries, limited wineries, and distilleries pursuant to sections 12-47-402(2), C.R.S., 12-47-403(2)(e), C.R.S., 12-47-402(6), C.R.S. and Regulation 47-428, 1 C.C.R. 203-2.

In order to assist applicants in obtaining an MSR license, the Division is providing the following guidelines for MSR applications:

1. Complete Form DR8057 (Application for Colorado Vinous or Spirituous Liquor Manufacturer Sales Room) in its entirety. An MSR license cannot be issued if the application is incomplete. Typical mistakes include (but are not limited to) incomplete addresses, company and business names not matching on lease documents, insufficient premises control plans, and undefined licensed premises.
2. A copy of the MSR application must be provided to the local licensing authority where the MSR is located. If the MSR is temporary (three days or less), the state and local licensing authority must receive the MSR application no less than ten (10) business days prior to the event. If the MSR is permanent (more than three days), the state and local licensing authority must receive the application no less than 30 days prior to the sale of alcohol at the MSR.
3. The local licensing authority may object to the issuance of the MSR license pursuant to Regulation 47-428, 1 C.C.R. 203-2.
4. The Licensee may operate the MSR directly, hire individual staff to conduct sales at the MSR, or hire a company to conduct sales at the MSR. If the Licensee hires individual staff or a company to conduct sales at the MSR, the Licensee remains responsible for managing the MSR including hiring and terminating employees, ordering alcohol, and making any other management decisions.
5. If the Licensee hires an individual or company to conduct sales at the MSR, the Licensee shall provide to the Division copies of any contracts, agreements, leases, etc. between the Licensee

and the individual or company which detail the relationship between the Licensee and the company.

6. An individual or company hired to conduct sales at an MSR may be compensated on a percentage of sales basis. However, payment based on a percentage of alcohol sales constitutes a financial interest in a Licensee. Colorado law prohibits financial interests between certain license types. This prohibition may preclude the Licensee from hiring an individual or company to conduct sales at the MSR (compensated on a percentage of sales basis) if such individual or company has a financial interest in another license type and if overlapping financial interests are prohibited between the license types. A matrix detailing allowed and prohibited financial interests between all license types is attached.
  - a. In order to determine if a prohibited financial interest exists, the Licensee must disclose to the Division the name, birth date, and social security number of such individual or the names, birth dates, and social security numbers of all owners of the company.
  - b. If an individual or a company's compensation for conducting sales at the MSR is equal to 10% or more of the Licensee's overall alcohol sales, such individual or the owners of such company must complete form DR8404-I (Individual History Record) and provide fingerprints for a criminal background check.
7. The Licensee may also hire a manager of the MSR in accordance with Regulation 47-318, 1 C.C.R. 203-2. The manager may make management decisions for the MSR on behalf of the Licensee (including the hiring and firing of staff, ordering alcohol, and any other management decisions relating to the MRS). If the Licensee hires an individual to manage the MSR, the Licensee shall disclose all information regarding the manager to the Division. Such information shall include:
  - a. The Licensee shall provide copies of any contracts, agreements, leases, etc. between the Licensee and the individual that detail the relationship between the Licensee and the manager, and
  - b. Each manager must complete form DR8404-I (Individual History Record) and provide fingerprints for a criminal background check.
8. As stated in paragraph number 6, an individual hired to manage an MSR may be compensated on a percentage of sales basis. However, payment based on a percentage of alcohol sales constitutes a financial interest in a Licensee. Colorado law prohibits financial interests between certain license types. This prohibition may preclude the Licensee from hiring an individual to manage the MSR (compensated on a percentage of sales basis) if such individual has a financial interest in another license type and if overlapping financial interests are prohibited between the license types. A matrix detailing allowed and prohibited financial interests between all license types can be found on the Liquor Enforcement website or [click here](#) for the link.
9. The licensed premises of the Licensee's MSR may include another company's premises as long as a written agreement is in place providing to the Licensee exclusive control over the sale of

alcohol throughout the licensed premises (i.e., MSR sales of alcohol must be under the control of the Licensee or the Licensee's MSR manager and not the other company). The Licensee must provide a mechanism by which MSR alcohol sale transactions of the Licensee are kept separate from the other company's sales or business transactions. In some instances, a single point of sale system may be acceptable as long as sales records and proceeds of MSR alcohol sales are kept separate from the other company's transactions. All money, funds, and electronic payments (debit cards, credit cards, etc.) related to MSR sales of alcohol must be remitted directly to the Licensee and cannot be commingled with the other company's business transactions.

You may submit your application and all necessary documents and diagrams to [DOR\\_LED@state.co.us](mailto:DOR_LED@state.co.us). If you have any questions, please call the Division at 303-205-2300.

# Memorandum

Date: April 25, 2022  
To: Michelle Metteer and Scot Hunn, Town of Minturn  
From: Carly Sieff, Fehr & Peers  
Subject: **Minturn Community Plan: Parking Study and Recommendations**

*DN21-0707*

## Introduction and Context

The Town of Minturn is updating its Community Plan to understand the current challenges and opportunities as the Town faces growth pressures and changes in demographics, community attitudes, preferences, and needs. An important aspect of this project includes this evaluation of the current parking inventory and occupancy and recommendations for improving parking and curb space management in Minturn. Parking is a limited resource and will be a driver in considering future opportunities for development, roadway cross-sections, and other transportation investments. Parking and curbside regulations is also currently not intuitive to the user and can benefit from increased clarity.

This memo provides a summary of existing on-street parking and off-street public parking conditions in the core parts of Minturn. This memo also summarizes existing and future parking and curb space opportunities and recommendations, given the outcomes of this analysis.

Determining existing on-street parking conditions occurred in two main stages: taking inventory of the on- and off-street parking supply and then collecting parking occupancy data. Parking occupancy was observed and documented during multiple study periods in the winter of 2021/2022. Parking is anticipated to be higher in the summer months and it is recommended that the Town of Minturn collect parking occupancy data and perform an analysis for the summer months to supplement these findings.



# Analysis Overview

Fehr & Peers summarized the data observed from on-street parking counts conducted on December 7, 2021, January 15, 2022, April 14 and 16, 2022 which included weekday and weekend observations respectively during the following time periods:

- Weekday Counts – 9:00 AM, 12:30 PM, 4:30 PM, and 6:00 PM
- Weekend Counts – 11:00 AM, 4:30 PM and 6:00 PM

Weekday counts were conducted on December 7, weekend counts were conducted on January 15, and 6:00 PM counts both weekday and weekend were conducted on April 14 and April 16 respectively. These days and times were selected because they were identified by the project team as being the peak winter periods, or the times of highest parking demand.

Parking data was collected on Main Street, Boulder Street, and Pine Street, and all perpendicular blocks between Mann Street and the intersection of Williams Street/US-24. It also included parking counts on Taylor Street from Lions Lane to Lionshead Trailhead, and the Municipal parking lot on Main Street, north of Railroad Avenue. Parking counts were performed manually by the project team and consisted of counting the number of cars on each block during each time period. Data collection did not consider parking duration or turnover of vehicles between count periods. The goal of the analysis was to track parking occupancy and distribution patterns.



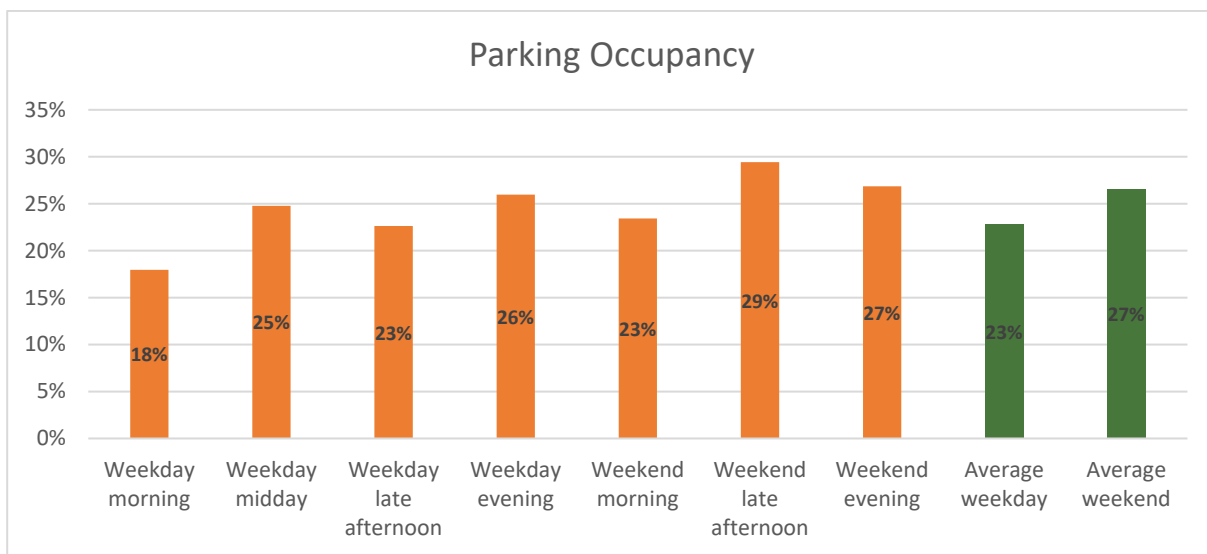
# Summary of Findings

## Parking Occupancy

Parking occupancy, or utilization, is defined as the number of parked vehicles divided by the total supply of parking spaces. Parking occupancy around 85% is generally considered to be industry best practice as the threshold for parking that is at capacity. When 85% of parking in an area is occupied, an average of one or two spaces are likely to be available on each street block. When parking occupancy exceeds 85%, it will become challenging for drivers to find an open parking space.

The total parking supply in the study area at the time of this study is 532 parking spaces. Based on the parking counts, this analysis found that the average occupancy in the study area is 23% on weekdays and 27% on weekends, which are well below the target level of 85%.

When analyzing parking occupancy for all durations of parking data, occupancy was found to be the highest in the weekend late afternoon period, when it reached 29% occupancy. **Figure 1** compares the parking occupancy during the time periods when data was collected – weekday morning, weekday midday, weekday late afternoon, weekday evening, weekend morning, weekend late afternoon, and weekend evening, and weekend evening,



**Figure 1– Parking Occupancy**

## Distribution of Parking Occupancy

When analyzing the distribution of parked vehicles on a block-by-block scale, the blocks around the 100 Block of Main Street tended to have the highest occupancy. **Figure 2** shows the average parking







**Table 1– Block-by-Block Average Parking Occupancy**

Block	Sides	Between	Average Parking Occupancy (all data collection periods)
Municipal Parking Lots	N/A	N/A	12%
Taylor Street	Both	Minturn Rd and 4th Ave	14%
Eagle River Street	East	Toledo Ave and Eagle St	61%
Main Street	East	Eagle River St and Toledo Ave	44%
Main Street	West	Eagle River St and Nelson Ave	52%
Main Street	West	Nelson Ave and Toledo Ave	4%
Main Street	East	Toledo Ave and Norman Ave	46%
Main Street	West	Toledo Ave and Norman Ave	29%
Main Street	East	Norman Ave and Harrison Ave	78%
Main Street	West	Norman Ave and Harrison Ave	29%
Main Street	East	Harrison Ave and Bayer Ave	23%
Main Street	East	Bayer Ave and Meek Ave	93%
Main Street	West	Harrison Ave and Meek Ave	29%
Main Street	East	Meek Ave and Mann St	34%
Main Street	West	Meek Ave and Mann St	20%
Boulder Street	East	Toledo Ave and Norman Ave	20%
Boulder Street	West	Toledo Ave and Norman Ave	30%
Boulder Street	West	Norman Ave and Harrison Ave	16%
Pine Street	East	Toledo Ave and Norman Ave	18%
Pine Street	West	Toledo Ave and Norman Ave	17%
Pine Street	East	Norman Ave and Harrison Ave	10%
Pine Street	West	Norman Ave and Harrison Ave	26%
Pine Street	East	Harrison Ave and Bayer Ave	21%
Pine Street	West	Harrison Ave and Bayer Ave	20%
Pine Street	East	Bayer Ave and Meek Ave	11%
Pine Street	West	Bayer Ave and Meek Ave	20%
Pine Street	East	Meek Ave and Mann St	20%
Pine Street	West	Meek Ave and Mann St	18%
Nelson Avenue	North	Williams St and Main St	36%
Toledo Avenue	North	Eagle River St and Main St	0%
Toledo Avenue	South	Eagle River St and Main St	7%
Toledo Avenue	South	Main St and Boulder St	43%
Norman Avenue	South	Boulder St and Pine St	0%
Harrison Avenue	North	Eagle River St and Main St	14%
Harrison Avenue	South	Eagle River St and Main St	0%



Harrison Avenue	North	Main St and Boulder St	43%
Harrison Avenue	North	Boulder St and Pine St	37%
Mann Street	North	Main St and Boulder St	0%
Mann Street	North	Boulder St and Pine St	0%

## Qualitative Findings

In addition to parking occupancy data, this analysis revealed anecdotal findings that parking and curbside regulations in Minturn are not clear and intuitive to users. Drivers looking for parking do not know if parking is public private, legal, or what the parking restrictions are for that location. In addition, delivery vehicles often load or unload goods in the travel lane, parking lane, or sidewalk; this creates safety and efficiency concerns along the curb. These conclusions are based on observations, citizen and business complaints, and staff knowledge.



# Recommendations

Although this analysis concluded that the Town of Minturn does not currently have a parking supply problem, as a part of this long-range planning effort, it is important to consider how this may change into the future. This analysis did conclude that parking and loading are not intuitive to the user, and result in unsafe and inefficient behavior at the curb. Parking is a limited resource and valuable public asset, particularly in a downtown environment. The recommendations included in this section are intended to improve management of this asset to maximize the efficient use of limited curb space, better ensure convenient parking is available to serve users, increase intuitiveness of curbside regulations, and improve the efficiency and effectiveness of enforcement.

Recommendations are provided for both the short-term and long-term. Short-term recommendations are aimed at addressing imminent upcoming challenges. Long-term recommendations are aimed at addressing potential future challenges over eight to ten years from now. The categories of recommendations discussed in this section, listed in no particular order, are:

- Parking-Adjacent Policies
- Shared Parking
- Change in Parking Requirements
  - Parking Minimums Instead of Maximums
  - Fee-in-lieu
- Time Restrictions
- Increased Enforcement
- Transit Access
- Paid Parking
- Data Collection and Monitoring
- Increasing Parking Supply

## Benefits of Managed Parking

Managed parking is the approach of implementing strategies and policies to more effectively influence travel behavior through parking. There are a number of benefits to managing parking in Minturn. These strategies encourage alternative transportation options which improves sustainability, in line with the town's broader goals. These strategies will help ensure parking is available where demand is highest. This will reduce cruising for parking which also improves congestion, safety, and sustainability. Managed parking contributes to economic vitality by improving business activity through parking availability and higher turnover of proximate parking space. When parking supply is reduced, it allows for higher and better use of space (such as increased density, public art, etc.) and allows for a more walkable and vibrant community. Lastly, parking pricing provides additional funds for alternative transportation.



## Short-term Recommendations

Short-term recommendations are aimed at addressing potential future challenges in the next five years.

### Parking-Adjacent Policies

Parking-adjacent strategies are policies that do not directly make changes to parking supply or pricing, but they influence other factors that then result in direct changes to parking demand

#### *Density and Diversity of Land Uses*

By increasing density and providing a greater mix of land uses (such as ground floor retail of multifamily residences), Minturn can become a 'park once' community. These shifts increase walkability and reduce demand for parking.

#### *Urban Design, Wayfinding Signage and Information Sharing*

Urban design features can make more distant on-street parking spaces known to commuters and enhance pedestrian connections to those spaces. Good signage can direct parkers quickly and efficiently to available spaces. Sometimes, the solution is as simple as providing information about space location and availability. Signage can also increase clarity to users about parking restrictions. Traffic calming, which includes strategies that moderate traffic speeds in order to improve the pedestrian environment, can also support parking management strategies.

#### *Curbside Management*

The curbside is the street space immediately next to the curb. This space is used not only for on-street parking, but can accommodate activities including passenger pick-up/drop-off, truck loading, private vehicle short-term loading, outdoor dining, landscaping, and bicycle parking. Management of the curbside refers to the proactive strategy/action to design, measure, price, and manage curbside space to safely accommodate the wide variety of curb demands. This includes making parking restrictions more intuitive to increase the efficiency of available parking and formalizing locations for passenger and truck loading so loading is not taking place in on-street parking spaces. To mitigate the impacts of truck loading on traffic and parking the town should consider developing a truck delivery plan to regulate the location and times of when and where trucks deliver goods downtown. This plan can even more broadly plan for the management of the curb for uses beyond trucks and parking.

#### *Snow Maintenance*

In order to better maximize parking availability and access, Minturn should develop a snow removal policy that ensures on-street parking is available, legible, and ADA-accessible.



### *Traffic Circulation*

By considering modifications to the vehicle network, parking can be accessed more intuitively and efficiently. By reconsidering and analyzing the one and two-way design of roadways, cruising for parking and parking supply can be modified.

Changes to the 200 Block of Boulder Street have been considered previously. These changes to convert this block from a two-way street to a one-way street and implement angled parking on the west side of the roadway should continue to be considered and analyzed into the future.

### **Shared Parking**

Shared parking is the use of a parking space to serve two or more individual land uses without conflict or encroachment. The current shared parking provision allows for shared parking only between buildings within 100 feet of each other whose operating hours do not overlap. This study recommends modifications to the current shared parking provision in two main respects:

- Extend the shed in which businesses can share parking (1,000 feet is encouraged)
- Consider uses with complementary demand but do not restrict based on operating hours

### **Change in Parking Requirement**

Changes to the zoning requirements for parking can better align parking with the community's goals. Minturn can start by reducing parking requirements for certain land uses by a small percent. The town should start with commercial and retail land uses, but should not change residential parking requirements; the former will see a demand for parking shift as land use and urban design changes. Before embarking on this change, the town should compare their parking minimums against peer communities. Switching to parking maximums instead of minimums will also limit the amount of parking required by development and promote a better alignment of parking supply and demand.

A policy to institute parking fee-in-lieu allows landowners and developers to pay a fee into a municipal fund in lieu of providing on-site parking spaces required per the zoning code. This policy is especially effective for small parcels where redevelopment may be less viable due parking requirements. This fee can finance public parking spaces or/and fund other transportation demand management and multimodal investments that will help to reduce single occupancy vehicle use. The parking fee-in-lieu rates for peer communities is shown in **Table 2**.



**Table 2– Parking fee-in-lieu rates for peer communities**

Community	Fee-in-lieu
Buena Vista, CO	\$1,200
Jackson, WY	\$8,500
Crested Butte, CO	\$13,000
Breckenridge, CO	\$19,000
Eagle, CO	\$23,000
Dillon, CO	Space 1-3, \$2,000 Space 4-6 \$5,000

**Time Restrictions**

It is recommended that Minturn consider expanding the area that is currently time restricted. A larger number of blocks that have a 2-hour time restriction will result in increased parking turnover and thus improved business activity and increased parking availability; for example, this will prevent employees from parking in the spot in front of a business all day. It is important to control for spillover parking (people parking a block over for unlimited parking and putting a strain on residential parking) if more time restricted parking is implemented.

**Increase Enforcement**

Enforcement of parking and curb space regulations in Minturn is minimal currently. Local drivers are more likely to ignore parking restrictions on Main Street (and future time restrictions) if they know those restrictions will not be enforced. It is recommended that the town enforce parking regulations on existing and future time restricted and paid blocks to ensure better compliance. This will help ensure parking turnover and availability of parking as well as mitigate potential safety issues (such as blocking fire hydrants, crosswalks, sight lines, or handicap parking).

It is also recommended that Minturn increase its fines for parking violations. For comparison, parking violations result in a \$30 - \$50 fine in Aspen, \$30 fine in Breckenridge, and \$25 fine in Durango for most first-time offenses. However, most peer communities use a graduating scale where parking violation amounts double or triple for repeat offenders or for those that wait too long to pay. To increase the rate of compliance, keep pace with inflation, and generate additional revenue to better cover the cost of enforcement, it is recommended that the town consider increasing the fines for parking violations. In particular, it is recommended that the town increase the fine for repeat offenders. Additionally, if paid parking is implemented, parking fines should be set to be at least 50% higher than the cost of all-day parking in order to incentivize compliance.



## Long-term Recommendations

Long-term recommendations are aimed at addressing potential future challenges over 8-10 years from now.

### Transit Access

A long-term strategy to address parking demand downtown is to continue making investments in local and regional transit that make it more convenient to get to Minturn via transit and provide a viable alternative to driving and reduce demand for parking. This, combined with other parking management strategies (such as implementing paid parking), will incentivize more people to use transit instead of driving into downtown. Transit investments in Minturn can include:

- A future shuttle from Dowd Junction
- Improved frequency and marketing of ECO Transit regional routes
- Improve first and last mile connections to existing bus stops

### Paid Parking

Short of further increasing parking supply, which is expensive and may encourage additional traffic congestion downtown, the most effective remaining tool to managing parking downtown is to implement paid parking.

There are three primary reasons to consider implementing paid parking:

- To manage demand in high-occupancy locations to ensure parking is more readily available in those locations, which will reduce traffic congestion caused by drivers circling for parking.
- To incentivize use of non-driving modes of transportation to downtown.
- To generate revenue to cover the cost of parking operations, maintenance, capital improvements, and enforcement, as well as to potentially fund transit, bicycle, and pedestrian improvements in Minturn to further mitigate parking demand.

If the town implemented paid parking, the revenue could be used to fund parking enforcement and management with less need (or potentially without need) for general funds. Revenue could also be used to fund regular maintenance of curb paint, signs, and public parking lots as well as for pedestrian, bicycle, and transit improvements downtown. Investing in other modes would further mitigate parking demand as it would make using other modes more convenient.

Paid parking could also be used to ensure parking spaces are easier to find and is an effective incentive for people to walk, bike, or use transit in place of driving. To achieve this, paid parking should be implemented in Minturn's downtown core at the locations when and where occupancy is high and turnover is desirable. Initiating paid parking once the downtown core reaches an average occupancy threshold of 60% of parking occupied during peak days/time (that are not events) is a good best practice. This strategy will ensure that people who want to park close to their destination are more



likely to have that option if willing to pay. This strategy will also result in better utilization of available parking where demand is lower.

Parking pricing should start with a low price (\$.50/hour) with the first 30 minute free. This is high enough to provide some incentive to take alternative modes and makes enforcement of time-limited parking easier. This low fare also helps demonstrate transparency to the public that the primary purpose of paid parking is not to generate revenue, but to manage demand. The town can consider implementing variable pricing, where rates are higher when parking demand is higher. Parking pricing can also only be applied certain times of year, days of week, or times of day.

### *Case Studies*

There are a number of examples of peer mountain communities in Colorado that have successfully implemented paid parking. Minturn can take the lessons learned and best practices from these communities. Specific information is provided in this section for Idaho Springs, Manitou Springs, and Glenwood Springs.

- Idaho Springs- Paid parking for visitors only on-street and off-street. Free for first 30 minutes, \$1.50/hour after that. Been well-received by businesses.
- Manitou Springs- Parking is free in outlying lots and shuttle is provided. Paid parking for visitors only on-street and off-street in locations downtown. 30 minutes free, \$1-\$2/hour after that.
- Glenwood Springs- In the process of implementing paid parking downtown based on a recent parking study.

### **Regular Data Collection**

A key aspect of managing parking will be to collect data to see what is and what is not working and then use that information to make adjustments over time to pricing, restrictions, enforcement, communication, and other aspects of the parking program. This will be a particularly critical component of implementing paid parking as it will help staff determine whether the changes are meeting the program goals and provide information on what adjustments to make. Data monitoring will also be valuable in providing transparency to the public and demonstrating the benefits of paid parking, which can be a highly controversial topic among the public and other stakeholders. Minturn should collect data to monitor parking utilization and activity different times of day and year given the fluctuation in parking demand.

### **Evaluate Increasing Parking Capacity**

The town should continue to monitor parking demand in the future. If data shows a growth in parking demand, causing parking to begin to reach capacity even with the short-term recommendations in place, the town may want to consider adding new supply. Due to the geographic constraints, urban design considerations, and the high land value downtown, this most likely would be in the form of a





new parking garage. The decision to add capacity should not be based entirely on demand, but should also be a value-based decision among the community. Construction of a new parking structure is expensive and adding supply will also make it more convenient to drive and park in Minturn, which could contribute to additional traffic congestion. These factors should be considered against other potential options. Other strategies, such as increasing parking fees, should be considered prior to increasing supply. Instead of investing in additional parking supply (which is expensive) the town should consider applying that investment toward making it more convenient to access downtown via walking, biking, and transit.



## Conclusion

The results from this study show that there is a high amount of available parking in the core portion of the town during peak periods in the winter months; demand for on-street parking in the study area and the Municipal surface lots does not approach the supply of parking spaces. However, there is anecdotal evidence that parking and curbside regulations in Minturn are not intuitive to the user, resulting in unsafe and inefficient travel patterns.

The east side of Main Street between Bayer Avenue and Meek Avenue is the only block in the study area that exceeds the peak efficiency threshold of 85%. However, the available supply on this block is only two vehicles which explains its high occupancy rate. The surrounding blocks have a low occupancy. The block on the east side of Main Street between Eagle Street and Harrison Avenue has an average parking occupancy of 78%, which is slightly below the 85% peak efficiency threshold. Similarly, there is adequate parking available surrounding this block even if parking occupancy increases in the future.

The findings of this study suggest that no immediate changes in parking policies or parking supply are required to address parking occupancy concerns. There is adequate parking available to meet the current parking needs in the study area. In situations where parking may not be available right outside of the desired destination, it is likely available within one to two blocks.

However, parking management strategies as described in this memo should be, as parking demand shifts and to address the lack of intuitiveness of current curbside and parking regulations. The Town of Minturn should continue to collect and monitor parking data to understand parking conditions in the summer and as development takes place. The town can also collect data during event days such as the Farmer's Market but should not plan and build parking supply for the highest demand days of the year; rather, temporary shared parking or shuttles should be considered for these few days.

Appendix A:  
Parking Occupancy Maps



# Average Parking Occupancy

Municipal Parking Lots A, B & C

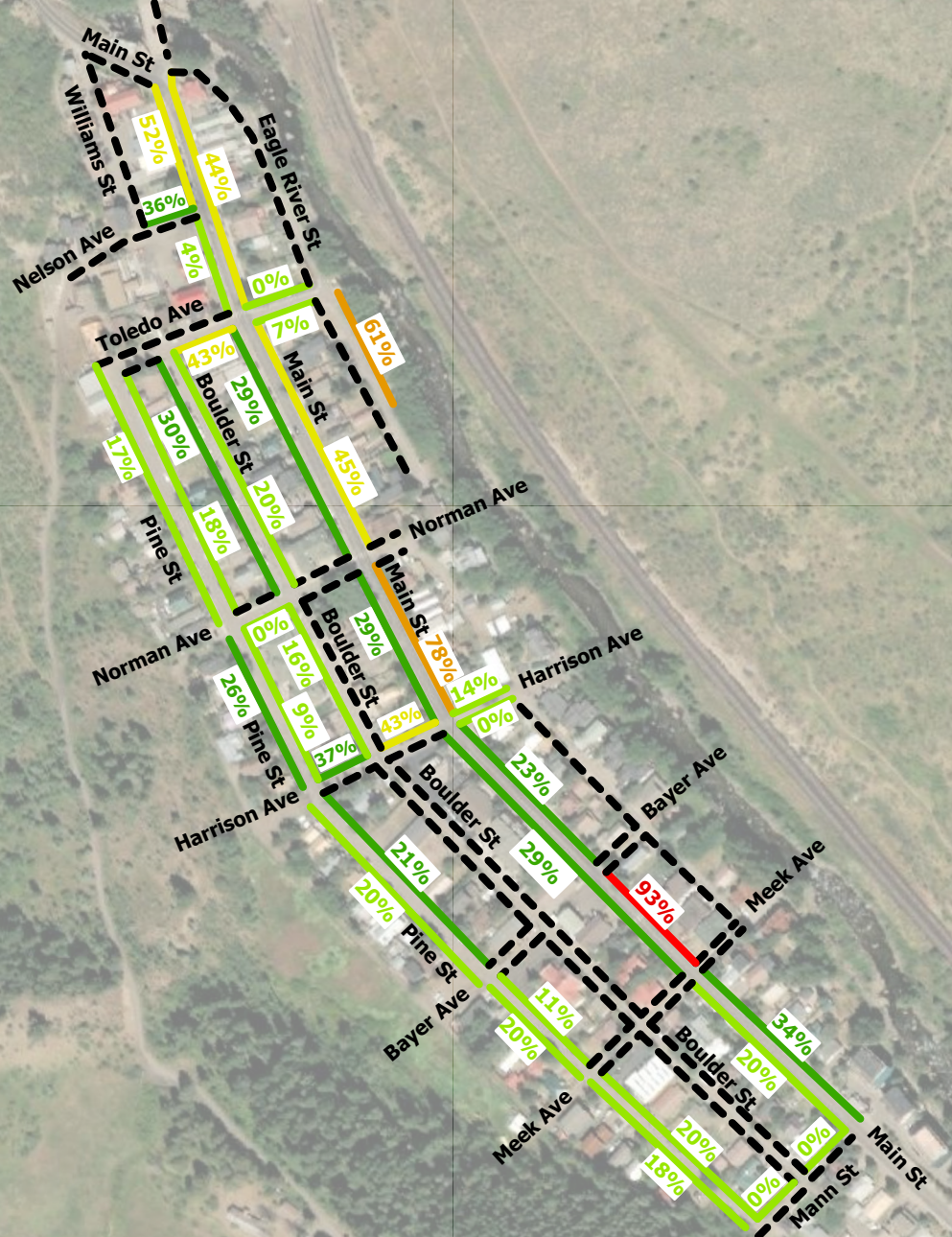
12%

14%

Taylor Street on-street parking from Lions Lane to Lionshead Trailhead

**LEGEND**  
Average Parking Occupancy

- No Parking
- ≤20%
- 21% - 40%
- 41% - 60%
- 61% - 85%
- 86% - 99%
- ≥100%



# Weekday Morning Parking Occupancy

Municipal Parking Lots A, B & C

4/93

Data Not Collected

Taylor Street on-street parking from Lions Lane to Lionshead Trailhead



## LEGEND

#/# Parking Occupancy / Parking Supply  
 Parking Utilization - Weekday Morning

- No Parking
- Green ≤20%
- Light Green 21% - 40%
- Yellow 41% - 60%
- Orange 61% - 85%
- Red 86% - 99%
- Dark Red ≤100%

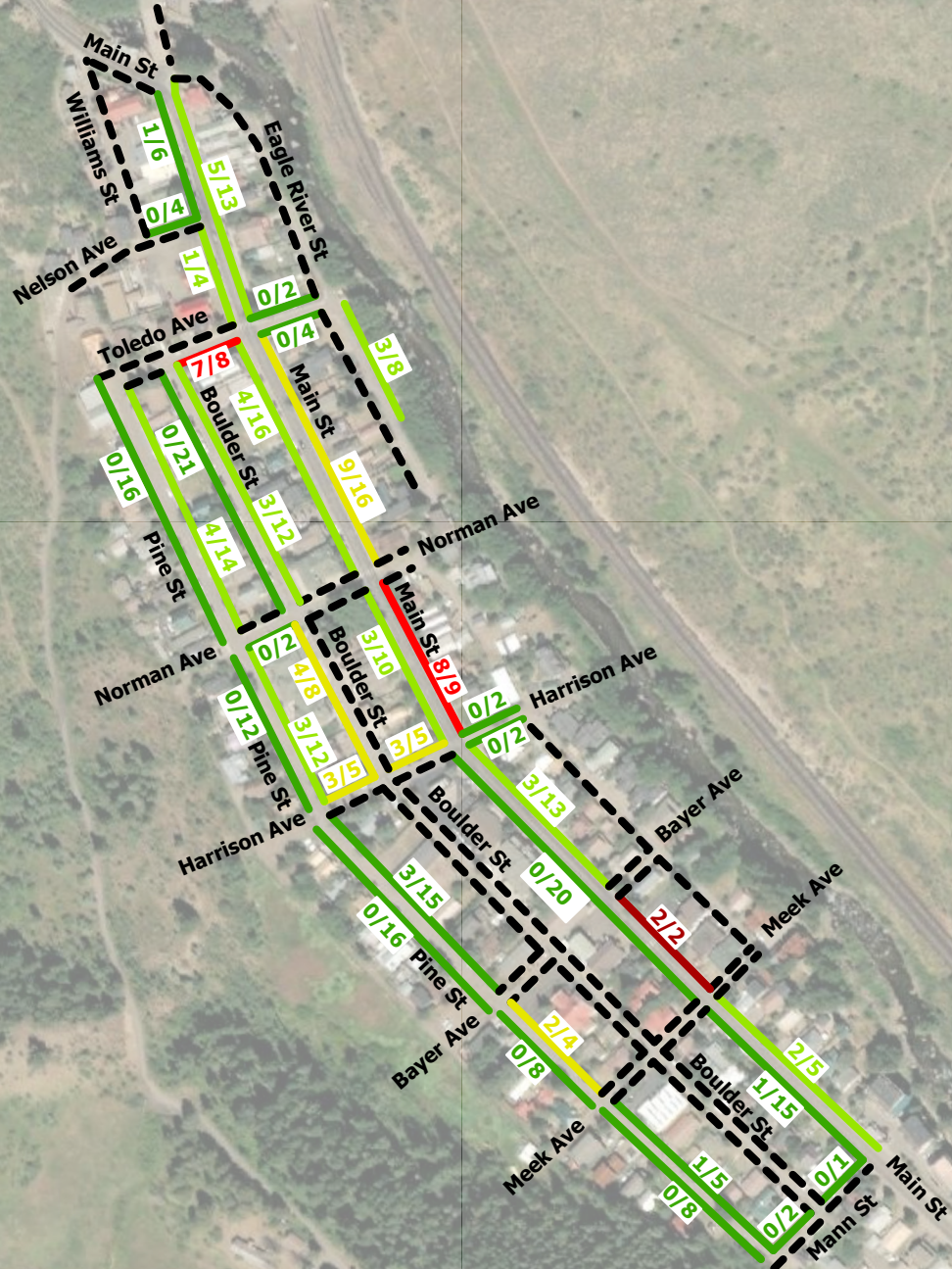
# Weekday Midday Parking Occupancy

Municipal Parking Lots A, B & C

2/93

25/114

Taylor Street on-street parking from Lions Lane to Lionshead Trailhead



## LEGEND

#/# Parking Occupancy / Parking Supply  
 Parking Utilization - Weekday Midday

- No Parking
- ≤20%
- 21% - 40%
- 41% - 60%
- 61% - 85%
- 86% - 99%
- ≤100

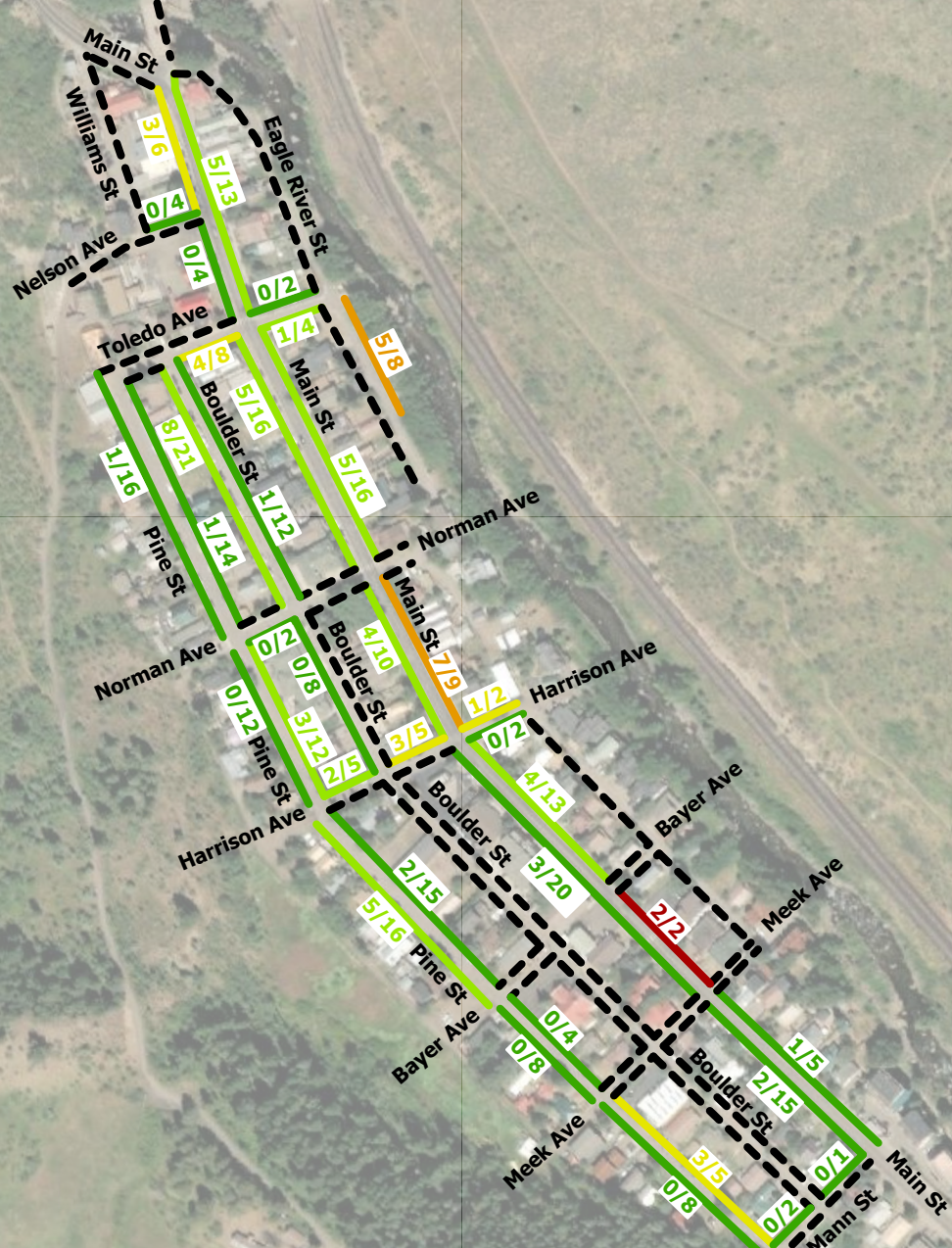
# Weekday Late Afternoon Parking Occupancy

Municipal Parking Lots A, B & C

6/93

8/114

Taylor Street on-street parking from Lions Lane to Lionshead Trailhead



## LEGEND

#/# Parking Occupancy / Parking Supply  
 Parking Utilization - Weekday Late Afternoon

- No Parking
- ≤20%
- 21% - 40%
- 41% - 60%
- 61% - 85%
- 61% - 85%
- ≥100%









# Weekend Evening Parking Occupancy

Municipal Parking Lots A, B & C

6/93

21/114

Taylor Street on-street parking from Lions Lane to Lionshead Trailhead



## LEGEND

#/# Parking Occupancy / Parking Supply  
 Parking Utilization - Weekend Evening

- No Parking
- ≤20%
- 21% - 40%
- 41% - 60%
- 61% - 85%
- 86% - 99%
- ≥100%

# ECONOMIC DEVELOPMENT DISCUSSION

Town of Minturn



# EXISTING CONDITIONS THEMES

---

- Local's community
  - 20% second homes
  - Lowest in Vail Valley except Eagle and Gypsum (~10%)
- Economy
  - Construction and trades
  - Small manufacturing
  - Repair and maintenance, high-end automotive
  - Retail and tourism less than rest of Vail Valley
  - Less seasonal than Vail Valley
- Mostly built out
  - Growth and evolution through infill and redevelopment

# ECONOMIC OPPORTUNITIES AND CONSTRAINTS

---

- Opportunities
  - Vail Valley market: national/global draw
  - Unique historic Town compared to resort style development
  - Unique Main Street
  - Different “vibe” as a year-round community
  - Economic diversity: small but its there
- Constraints
  - Not well known / low visibility?
  - Built out: hard to grow without redevelopment and/or infill
  - Shortage of commercial real estate (light industrial)
  - Main Street energy tapers off quickly (~Toledo Ave.)
  - Competition with better known destinations
  - Resources for funding and maintaining infrastructure
- Others?

# ISSUES / GOALS DISCUSSION

---

- What types of business should the Town target?
  - Retail/tourism
  - Small manufacturing, entrepreneurs
  - Continue to support existing mix
- Light industrial space
  - How important to community?
  - Opportunities (sites) to grow?
- Tourism draws
  - Eagle River
  - Trail network, bike park
  - Main Street
  - Others?
- Main Street
  - What is Minturn's niche or target market?
  - What business types work best?

# DOWNTOWN PROTOTYPE ANALYSIS

Town of Minturn





# PROTOTYPES

---

- Standard 5,000 lot
- Scenario 1: existing zoning
  - One story
  - 700 sq. ft restaurant
  - 5 parking spaces
  - Current zoning
- Scenario 2
  - Two stories
  - 500 SF Salon
  - 975 SF Café
  - 3 Residential Units
  - 7 Parking Spaces
- Scenario 3
  - Three stories
  - 700 SF Salon
  - 975 SF Café
  - 4 Residential Units
  - 9 Parking Spaces

# CONSTRUCTION COSTS

---

## ASSUMPTIONS

- Residential Assumptions
  - Hard Costs: \$500 per GSF
  - Soft Costs: 15 percent of total costs
  - Market value: \$1,000/sq. ft. and \$850/sq. ft.
- Commercial Assumptions
  - Hard Costs: \$400 per GSF
  - Tenant Improvements: \$100 per RSF
  - Soft Costs: 15 percent of total costs
  - \$30/sf rent (triple net)
  - \$300/sq. ft. taxable sales
- Land and Parking Assumptions
  - Land: \$100 per LSF (\$500,000)
  - Parking Fee in-Lieu: \$7,000 per space

# SCENARIO 1: CURRENT ZONING

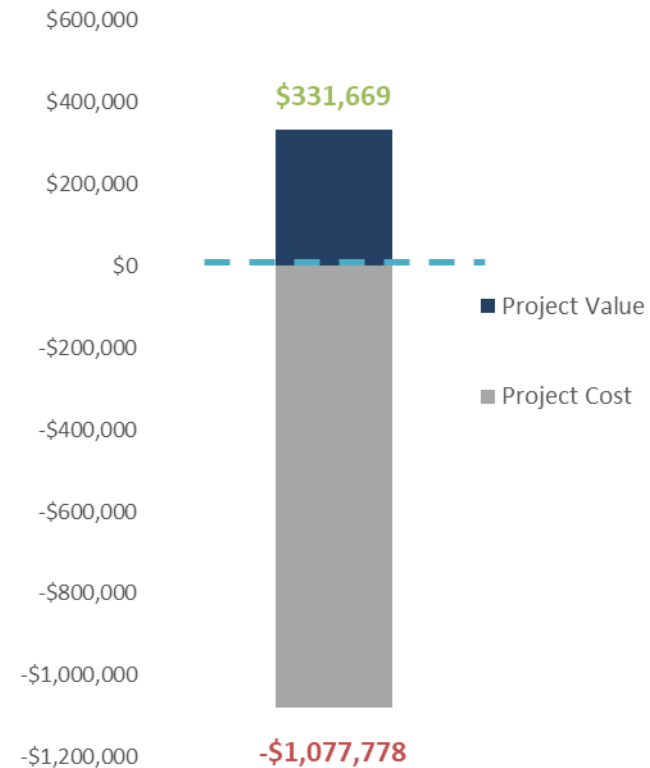
---

700 SF RESTAURANT (5 PARKING SPACES)

# SCENARIO 1: CURRENT ZONING

## DEVELOPER RETURN

- Profit/Loss:
  - Commercial: **-\$746,109**
- Return on Investment (ROI):
  - Commercial: **-69.2 percent**



Source: Economic & Planning Systems

# SCENARIO 1

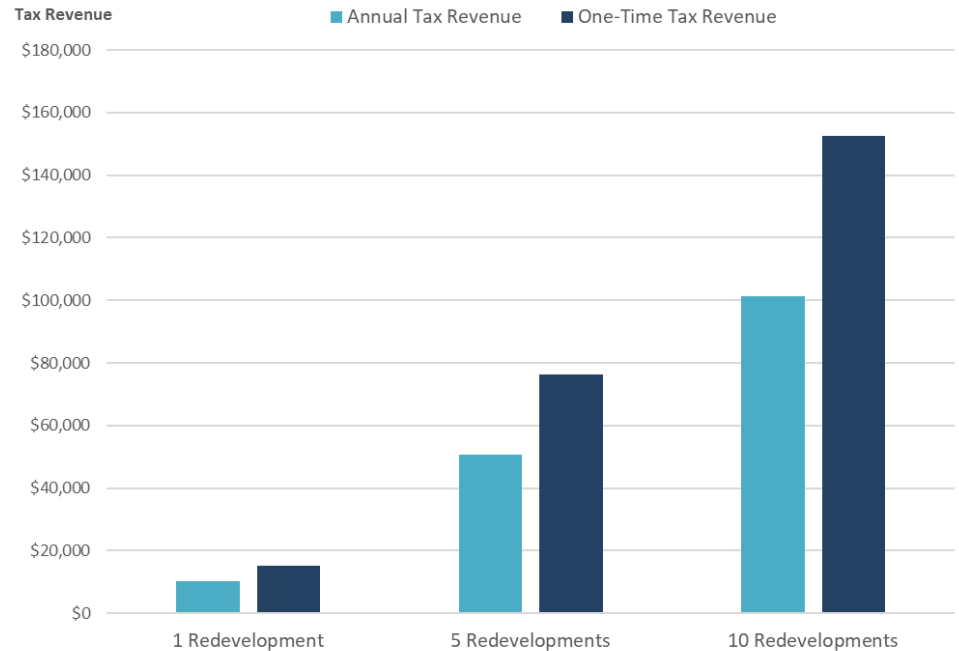
## MINTURN TAX REVENUE

### ■ Ongoing Revenue:

- 1 Redevelopment: \$10,125
- 5 Redevelopments: \$50,625
- 10 Redevelopments: \$101,250

### ■ One-Time Revenue:

- 1 Redevelopment: \$15,244
- 5 Redevelopments: \$76,222
- 10 Redevelopments: \$152,444



Source: Economic & Planning Systems

## SCENARIO 2: TWO STORY

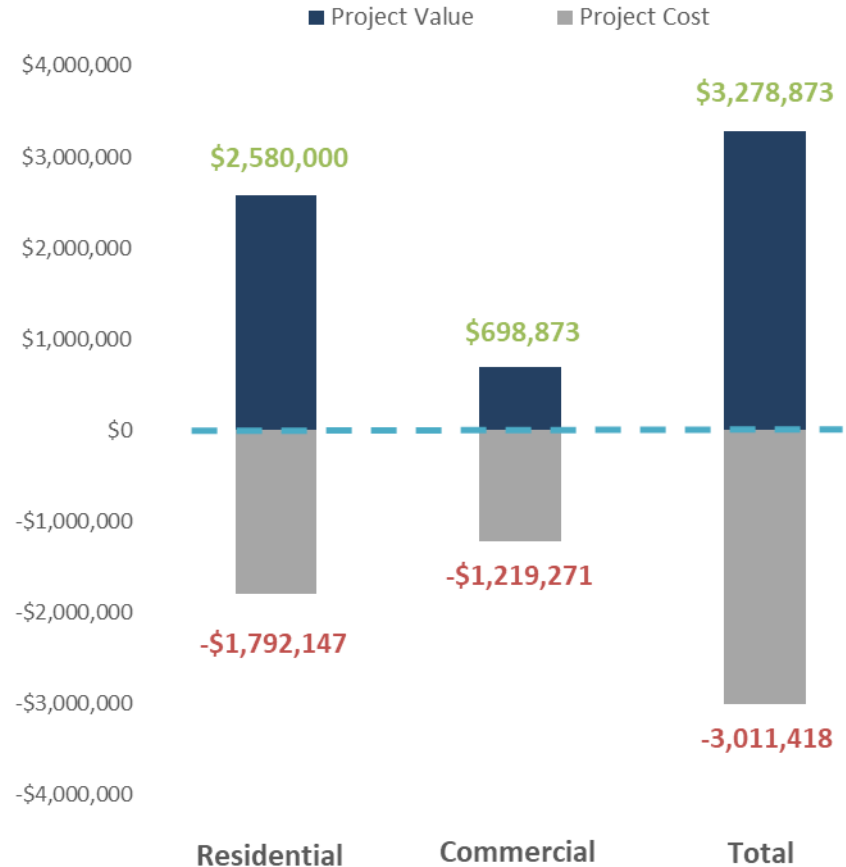
---

500 SF SALON, 975 SF CAFÉ, 3 RESIDENTIAL UNITS (7 PARKING SPACES)

# SCENARIO 2

## DEVELOPER RETURN

- Profit/Loss:
  - Residential: \$787,853
  - Commercial: -\$520,398
  - Total: \$267,455
- Return on Investment (ROI):
  - Residential: 43.9 percent
  - Commercial: -42.7 percent
  - Total: 8.9 percent



Source: Economic & Planning Systems

# SCENARIO 2

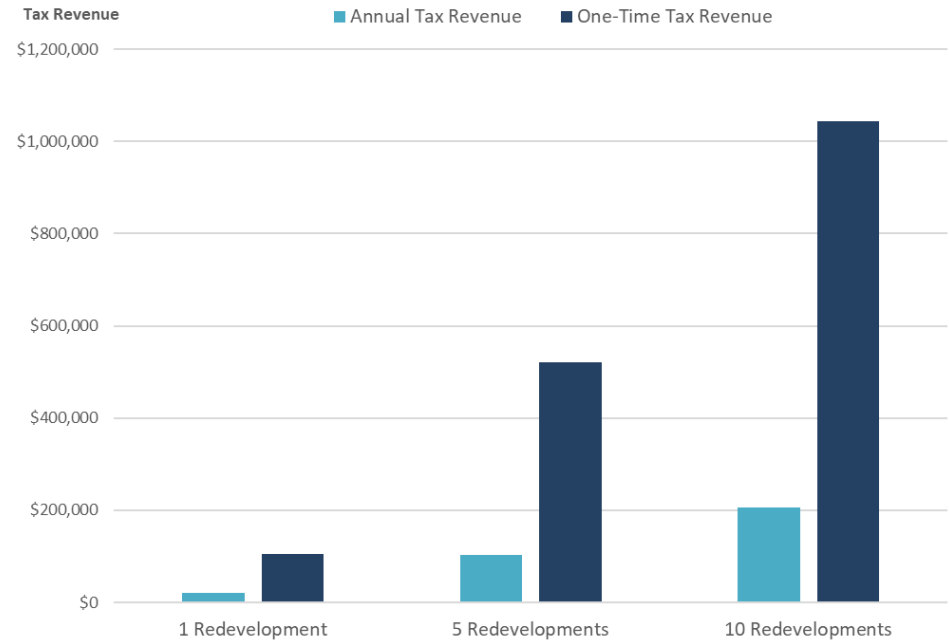
## MINTURN TAX REVENUE

### ■ Ongoing Revenue:

- 1 Redevelopment: \$20,671
- 5 Redevelopments: \$103,354
- 10 Redevelopments: \$206,709

### ■ One-Time Revenue:

- 1 Redevelopment: \$104,393
- 5 Redevelopments: \$521,965
- 10 Redevelopments: \$1,043,932



Source: Economic & Planning Systems



## SCENARIO: THREE STORY

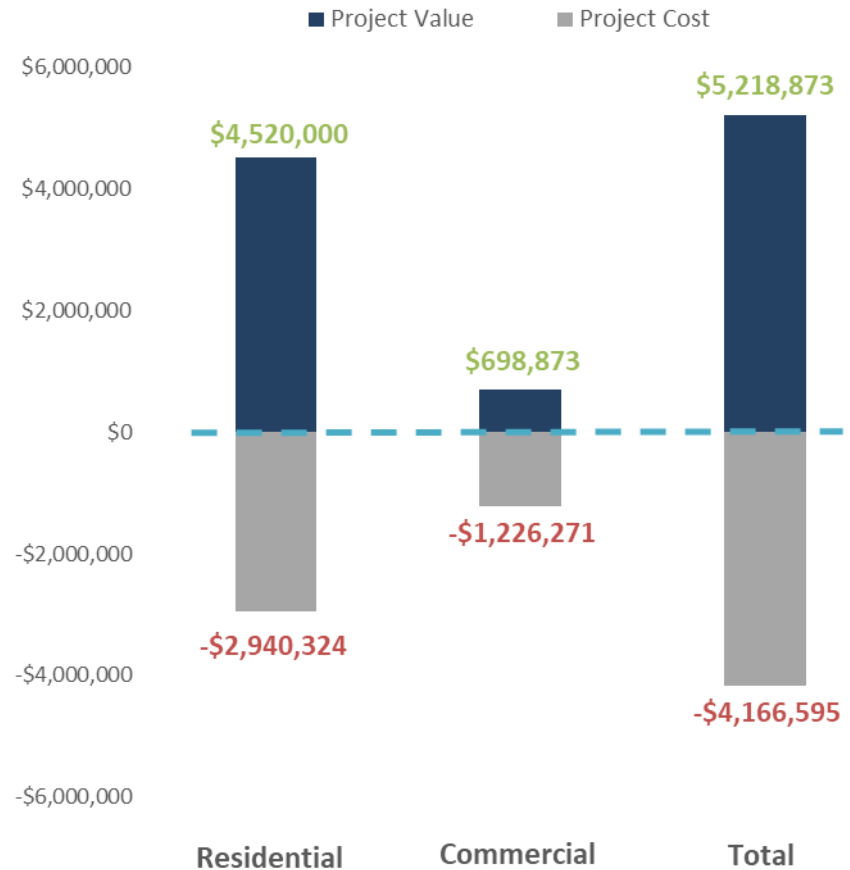
---

700 SF SALON, 975 SF CAFÉ, 4 RESIDENTIAL UNITS (9 PARKING SPACES)

# SCENARIO 3

## DEVELOPER RETURN

- Profit/Loss:
  - Residential: \$1,579,676
  - Commercial: -\$527,398
  - Total: \$1,052,279
- Return on Investment (ROI):
  - Residential: 53.7 percent
  - Commercial: -43.0 percent
  - Total: 25.3 percent

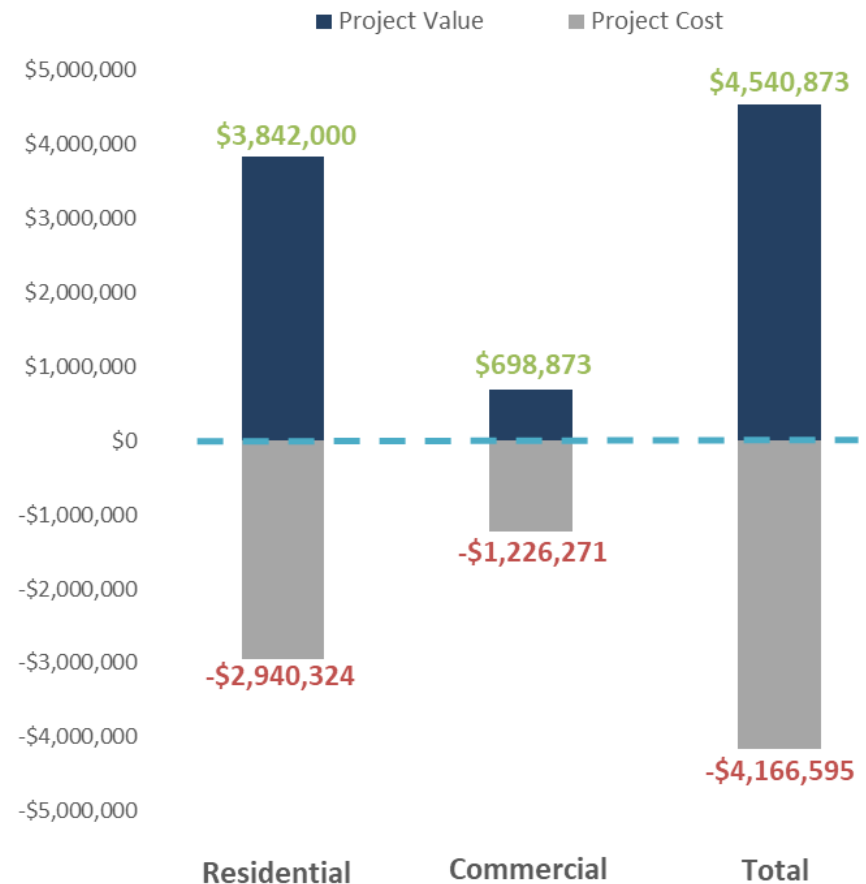


Source: Economic & Planning Systems

# SCENARIO 3

## DEVELOPER RETURN SENSITIVITY ANALYSIS

- **Residential Market value:**  
**\$850/sq. ft.**
- **Profit/Loss:**
  - Residential: **\$901,676**
  - Commercial: **-\$527,398**
  - **Total: \$374,279**
- **Return on Investment (ROI):**
  - Residential: **30.7 percent**
  - Commercial: **-43.0 percent**
  - **Total: 9.0 percent**



Source: Economic & Planning Systems

# SCENARIO 3

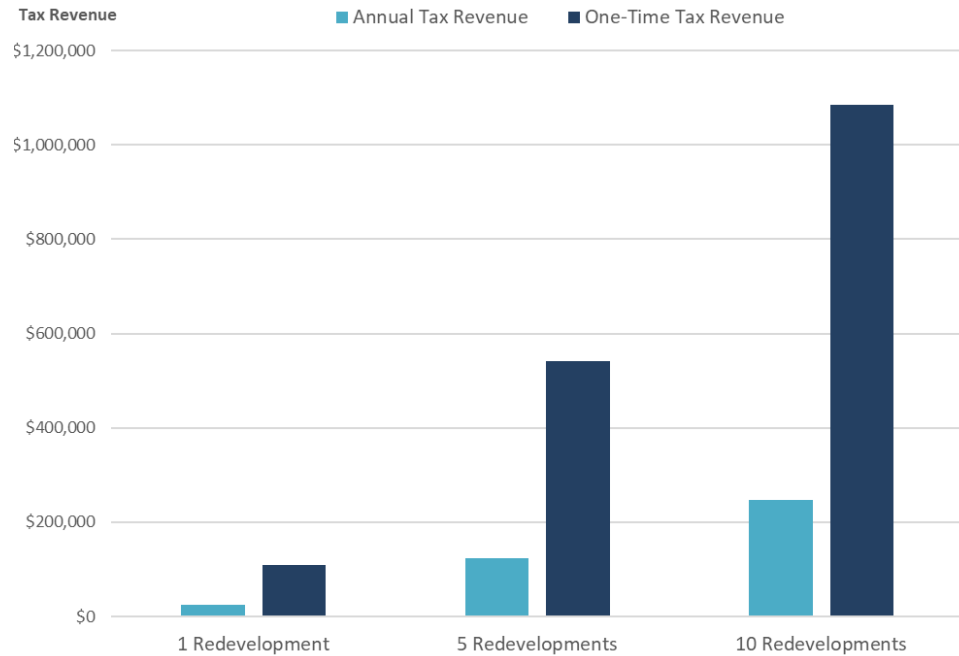
## MINTURN TAX REVENUE

### ■ Ongoing Revenue:

- 1 Redevelopment: \$24,692
- 5 Redevelopments: \$123,461
- 10 Redevelopments: \$246,923

### ■ One-Time Revenue:

- 1 Redevelopment: \$108,414
- 5 Redevelopments: \$542,073
- 10 Redevelopments: \$1,084,145

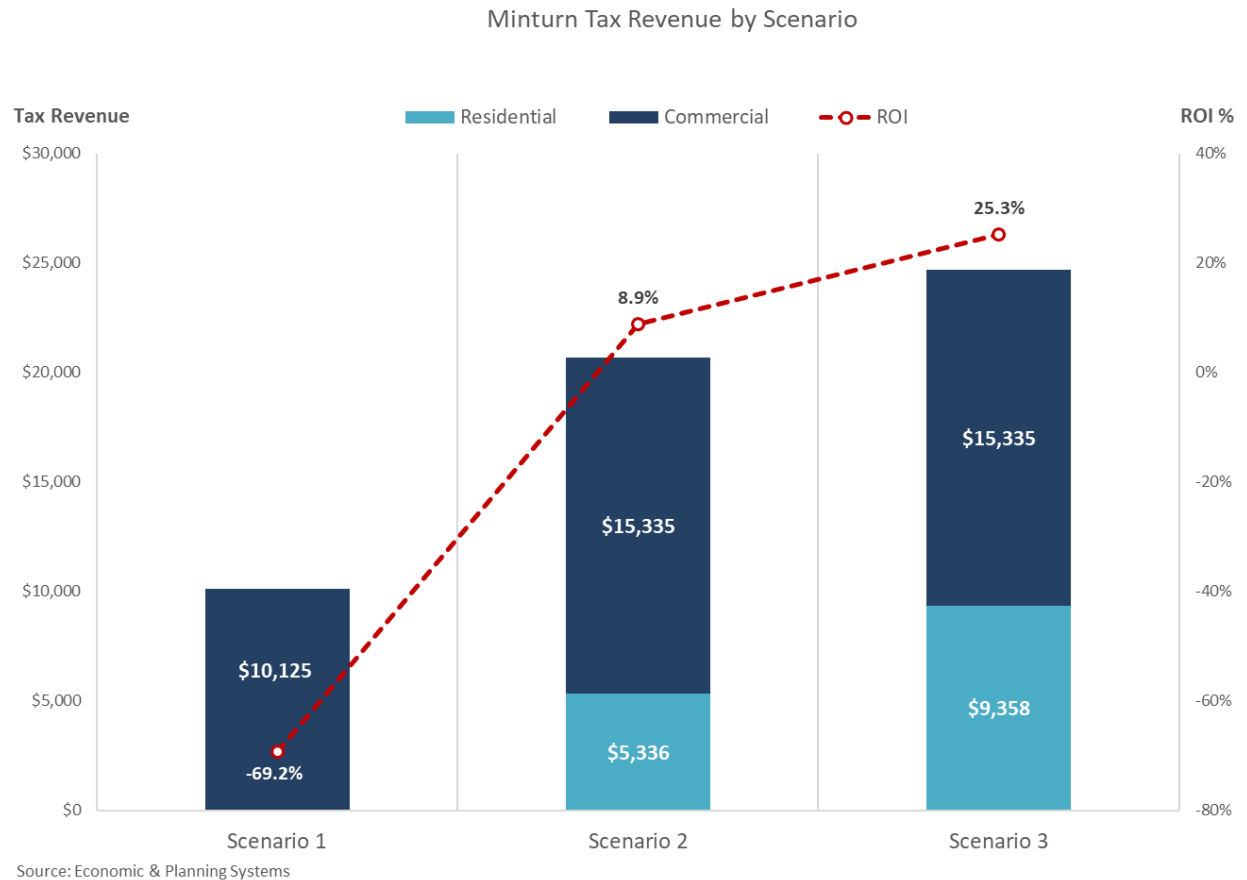


Source: Economic & Planning Systems

# SUMMARY

## TAX REVENUE BY SCENARIO

- The most profitable prototypes also have the highest tax impact to the Town



# KEY FINDINGS

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- The highest density scenarios are the most feasible and have the greatest tax impacts
- Residential density is needed to carry the mixed-use space
- Residential density is needed to incentivize property owners
- The current zoning may be a disincentive to development: parking requirements
- Caveats/Unknowns
  - “Back of the envelope” analysis
  - Redevelopment costs would be higher. I.e., buying an improved site and demolishing building
  - Some property owners have a very low “land basis” (owned for a long time)
  - Low land basis works both ways
    - Property cash flows, so little motivation to change
    - Or, they have a lower land cost to cover in a redevelopment



To: Mayor and Council  
From: Madison Harris, Planner I  
Date: June 30, 2022  
Agenda Item: Ordinance 11 - Series 2022: 100 Block Standards and Guidelines

---

**REQUEST:**

Review of Ordinance 11 - Series 2022 an ordinance amending Chapter 16 of the Minturn Municipal Code to amend and/or replace certain land use standards, development standards, and design standards applicable only to the Old Town 100 Block Commercial Zone District.

**INTRODUCTION:**

***Ord. 11 - 2022***

At their regular meeting of June 22, 2022, the Planning Commission reviewed Ord. 11 - 2022.

Two citizens spoke at the public hearing where the Planning Commission discussed the proposed changes to allowable uses, development standards such as allowable building height and required setbacks, along with a major update to the design standards applicable to the Old Town 100 Block Commercial Zone District.

Ultimately, the Planning Commission voted 5-0 to forward a recommendation of approval to the Town Council of Ordinance 11 - 2022, with seven conditions provided by Planning Commissioner Michael Boyd. Condition numbers 1 and 2 relate specifically to pages and sections from Planning Commission packet materials provided by Studio Seed:

1. The ordinance relates to the 100 Block, all areas, regardless of color shades shown page 4, Appendix B. The entire 100 Block, both A and B as shown in Exhibit A which is Appendix B insert Design Standards and Guidelines Pages 1-27 Excluding Pages 24 & 25 and Table 16-C page 7 of this ordinance including any other related conditions of this ordinance is to be updated from this motion for Council meeting packet
2. Page 15 SD.4 parking: that tandem parking is not allowed. Wording should be removed from section.
3. That any changes from side setbacks are verified and done in accordance with our Fire Code and Eagle River Fire recommendations for access.
4. That the design preferred was 2.5 stories stepped back option B or D with bonus floor permitted.
5. That the overall height of 100 Block B including the bonus floor is 35' with a stepped back design measured to midpoint of pitched roof area or overall height on flat roof to top of parapet wall.
6. That cash-in-lieu for bonus floor residential is \$10,000 per spot up to 2 bedrooms per parcel. Limited and expensive because on-site parking is preferred. These non-designated spots are not exempt from any future parking meter fees or

additional requirements. Residential units are still required to have parking on site. Parking is not required for commercial uses in this 100 Block.

7. Remove the conditional restriction for residential on upper floors in Sec. 16-6-70 and make it a use by right for both 100 Block A and B.

#### **ANALYSIS:**

In reviewing the ordinance, the Planning Commission considered the applicability and the implementability of the new and/or updated sections of the Minturn Municipal Code, as well as testimony of staff, a consultant, and members of the public.

During their discussion, the Planning Commission focused much attention on direction provided to staff and consultants during the May 18th joint work session when Cheney Bostick, Studio Seed, presented draft changes to Chapter 16, inclusive of proposed use table revisions, dimensional limitation revisions (adjusting setbacks, building height and building “stepback” standards) and introducing a completely revamped set of design guidelines and standards for the 100 Block Commercial Zone District.

Specifically, the Planning Commission discussed proposed building height limitations and proposed building height calculation methods, with one Commissioner stating that the direction to staff was to cap maximum building height at 35 feet (measured to the midpoint of roofs) for new development and redevelopment projects. Ultimately, the Commission voted to approve the amendments and draft design guidelines, and recommended specific conditions aimed at clarifying standards for building height and preferred number of building stories, parking, allowable uses, and building setbacks.

One of the conditions that the Planning Commission implemented stated that there will be no parking required of commercial uses in the 100 Block. Staff believes the intent was to have no parking required for sales tax generating uses and not service businesses and offices and that is reflected in this amended ordinance.

#### **COMMUNITY INPUT:**

Two members of the public spoke at the public hearing. One member expressed concern with reducing setbacks as it seemed counterintuitive for fire danger mitigation, as well as disagreed with the cash-in-lieu fee for parking as they didn’t think it would be useful. Another member of the public questioned why multi-family on the second floor and above was conditional. They would also like to allow residential on the ground floor at the back of lots in order to activate that space. 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, and following Section 16-21-610 Public notice.

#### **BUDGET / STAFF IMPACT:**

N/A.

#### **STRATEGIC PLAN ALIGNMENT:**

The Planning Commission’s review of ordinances and their actions 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:

1. Ordinance 11 - Series 2022 an ordinance amending Chapter 16 of the Minturn Municipal Code to amend and replace certain land use, development, and design regulations and standards applicable to the Old Town 100 Block Commercial Zone District.

### ATTACHMENTS:

- Memo/package from StudioSeed
- Ord. 11 - 2022 (Text amended per Planning Commission recommendation, please note that Exhibit A was unable to be amended at this time as Ms. Bostic had a family emergency, and will instead be amended between first and second reading)



# JUNE 22, 2022 PLANNING COMMISSION

## MEMORANDUM

---

This packet includes a final draft of Chapter 16 Proposed Amendments and a new Appendix B insert (that replaces the existing 100 Block design standards and guidelines.)

- The **Chapter 16 Proposed Amendments** is displayed as a direct edit Chapter 16. If it is helpful, you may want to have the existing [Chapter 16](#) code available to follow along. It only includes sections relevant to the 100 Block that need updated.
  - **Additions to the code are in bold and underlined.**
  - ~~Omissions are listed with a strikethrough~~
  - Existing text to remain is normal text.
- The **Appendix B insert (100 Block Design Standards and Guidelines)** is a brand-new document that is intended to replace the outdated 100 Block Commercial Zone Character Area Design Guidelines document.
  - This document includes standards from Chapter 16 that were not well-organized and adds new ones that include stronger language, as desired from the Design Review Board to be able to implement the vision of the 100 Block with clear rules.
  - It also includes supplemental language and guidelines under the standards that provides additional guidance for certain topics.

To meet the goal of adopting the Chapter 16 edits and new standards and guidelines by the time the moratorium is lifted at the end of August 2022, we are requesting that this package be approved and forwarded to Town Council, with any stipulations such as specific edits to the document that will be discussed at this Planning Commission meeting.

Therefore, please review this package in its entirety and come prepared to add specific comments and have specific discussions on any topics where you see discrepancies, have issues, or need clarification. As a reminder, this package is the culmination of the following:

October 2020 Community Charrette  
February 2022 Community Charrette  
April 26, 2022 Planning Commission Meeting  
May 5, 2022 Downtown Doers Group Meeting  
May 18, 2022 Joint Work Session with Planning Commission and Town Council, including public comment  
June 22, 2022 (tonight) intended as Planning Commission final review and approval  
July 6, 2022 intended First Reading to Town Council  
August 3, 2022 intended Second Reading and Adoption at Town Council

# Minturn 100 Block

## Chapter 16 Proposed Amendments

### Chapter 16; Article 2: Definitions, Illustrations, and Lot Standards

#### Sec. 16-2-20 – Definitions.

**Constrained lot means a lot that has a dimension (in any direction) that is 25 feet or less.**

**Half stories means habitable space that is located within the pitched roof portion of a structure or where the majority of the habitable space is below-grade. Habitable space within a half story shall have a minimum floor to ceiling height of 5 feet at the lowest point. See Sec. 16-2-65.**

**Incentive floor means an additional floor of development that is allowed only when additional requirements for the development are met. See Sec. 16-2-65.**

**Parking In lieu fee means a fee that is paid by a developer to the Town of Minturn in exchange for a reduced parking requirement. See Sec. 16-16-150.**

**Pitched roof means a gable, hip, gambrel or shed roof where height shall be measured to the mean height level between the highest ridge or wall and its highest associated eave, provided, however, that if any parapet wall equals or exceeds the height of the highest ridge, then vertical distance shall be measured to the highest point of the parapet. Mansard roof height shall be measured to the decline of the roof.**

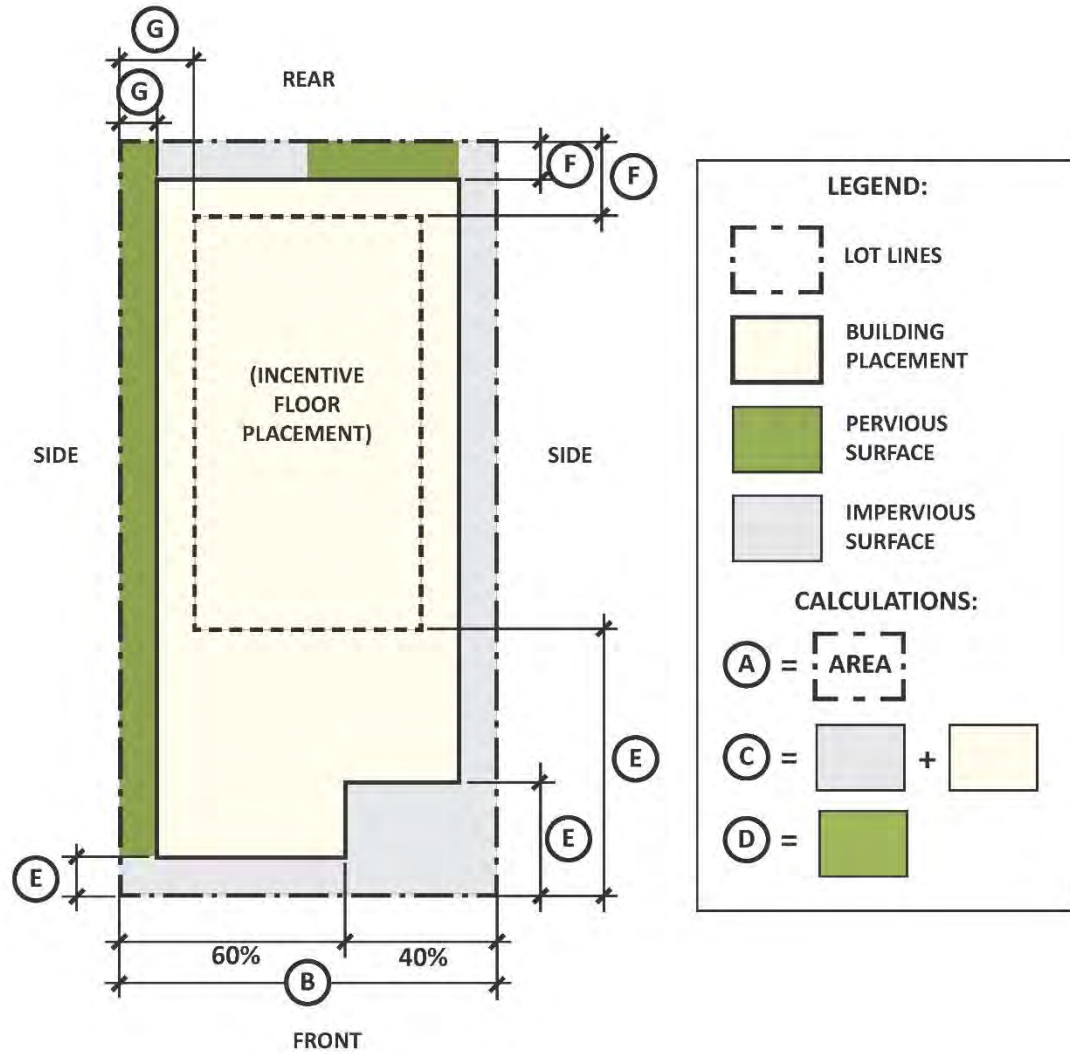
**Publicly accessible means a space such as a plaza or sidewalk on private property that is directly accessible from a public right-of-way and use by the general public is allowed.**

Sec. 16-2-40 – General lot requirements and dimensional standards.

TABLE 16-A  
Dimensional Standards

		<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F</u>	<u>G</u>	<u>H</u>
		<b>LOT REQUIREMENTS</b>				<b>SETBACKS</b>			
Character Area	Zones	Min. Lot Area / <b>Max. Lot Area</b> (sq. ft.)	Min. Lot / <b>Max. Lot</b> Dimension (ft)	Maximum Building Lot Coverage (%)	Maximum Impervious Surface Area (%)	Minimum Setbacks (ft) <b>^Incentive Floor Setbacks (ft)</b>			Live Stream Setback (ft)
						Front	Rear	Side	
Old Town	100 Block <b>Commercial : A</b>	2,500 / <b>7,500</b>	25 / <b>75</b>	80%	90%	<del>10</del> <b>5 min.</b> <b>15 min. 40%</b> <b>lot frontage</b> <b>20 max.</b> <b>^25</b>	<del>10</del> <b>5</b> <b>^15</b>	5 ( <b>0 for constrained lots</b> ) <b>^10</b>	30
	<b>100 Block: B</b>					<b>5</b> <b>^20</b>	<del>10</del> <b>0</b> <b>^0</b>	5 ( <b>0 for constrained lots</b> ) <b>^5</b>	

Illustration No. 16-6



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

~~(m) For structures two (2) or three (3) stories in height, a maximum roof length of sixty (60) feet in one (1) direction is allowed. After sixty (60) feet, the roof height needs to be lowered by a minimum of nine (9) feet for a minimum run of twenty (20) feet in length or change directions a minimum of ninety (90) degrees for a minimum length of twenty (20) feet.~~

Sec. 16-2-65 – 100 Block ~~Commercial~~Zones building height limitations.

~~(a) In the 100 Block Commercial Zone, commercial buildings not fronting or adjacent to Highway 24 can have a maximum building height of thirty-five (35) feet with a maximum angle of forty-five (45) degree bulk plane from the street front setback or a maximum of twenty-eight (28) feet for a flat roof.~~

~~(b) All buildings in the 100 Block Commercial Zone fronting or adjacent to Highway 24 located between Eagle Street and Williams Street can have a maximum building height of twenty-eight (28) feet with a maximum angle of forty-five (45) degree bulk plane from the street front setback or a maximum of twenty-eight (28) feet for a flat roof.~~

~~(c) Slope of roof shall be a minimum of 4:12.~~

~~(d) Residential construction in the 100 Block Commercial Zone must follow residential building height limitations.~~

(See also Illustration No. 16-2 and Appendix B, Design Standards and Guidelines) The following Table 16-B contains the regulations for building height.

(a) New buildings in the 100 Block shall be allowed a maximum height as shown in Table 16-C.

(b) An incentive floor is allowed, following dimensional requirements listed in Tables 16-A and 16-C, and based on the provision of the following on-site improvements associated with the development:

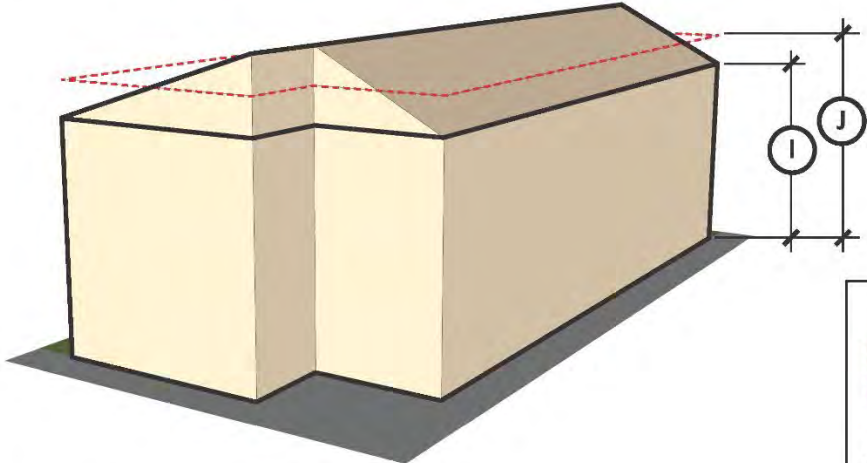
- a. An enhanced streetscape that provides a minimum of (1) street tree per 30 linear feet; (1) bench/seating area per 30 linear feet; and (1) bike rack accessible from a public right-of-way or passage; plus one of the following:
  - i. A publicly accessible plaza or outdoor dining space (area shall be a minimum of 15% of total area of lot) that is visible from a public right-of-way.
  - ii. A publicly accessible passage (min. 4-foot wide pathway) is provided between Main Street and Williams Street or Main Street and Eagle River Drive. A min. 8-foot side setback shall be required to accommodate this space. Public passages shall be a minimum of 150 feet apart, i.e. if one is already provided 100-feet away, this option shall not be used.
  - iii. Additional parking (min. 5 spaces extra) on-site for public use or that may be shared with other uses on the 100 Block. See Sec. 16-16-150.

**Table 16-C**



	<u>I</u>	<u>J</u>	<u>K</u>
	<b>100 Block Building Height Limitations</b>		
	<b>Max. height / stories (flat roof)</b>	<b>Max. height / stories (pitched roof)</b>	<b>Incentive floor max. height / stories (any roof)</b>
<b>100 Block: A</b>	<b>28' / 2 stories</b>	<b>32' / 2.5 stories</b>	<b>36' / 3 stories</b>
<b>100 Block: B</b>	<b>35' / 3 stories</b>	<b>39' / 3.5 stories</b>	<b>43' / 4 stories</b>

Illustration No. 16-7

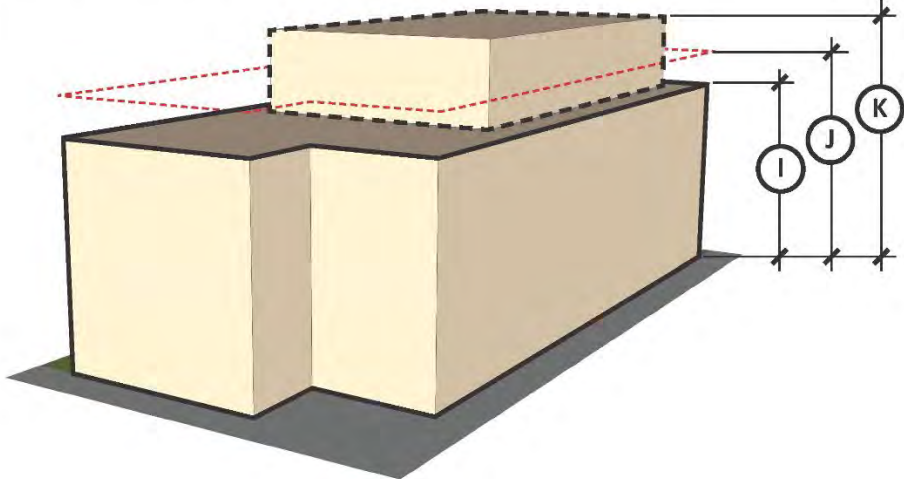
PITCHED ROOF SCENARIO



**LEGEND:**

-  PITCHED ROOF MAX. HEIGHT
-  INCENTIVE FLOOR

FLAT ROOF OR INCENTIVE FLOOR SCENARIO





~~Sec. 16-2-70. Specific front, side and rear yard setbacks requirements for 100 Block Commercial Zone.~~

- ~~(a) No parking spots allowed in the front or side setback on Highway 24 in the 100 Block Commercial Zone.~~
  - ~~(b) No asphalt.~~
  - ~~(c) Landscaping to include native trees, plants, tables, chairs, benches, decorative hardscape and planters for flowers.~~
  - ~~(d) Pedestrian lights to be hung on building for pedestrian lighting. Meet dark sky requirements in Code [Section 16-17-180](#), Exterior Illumination Standards.~~
  - ~~(e) Must include irrigation.~~
  - ~~(f) Must have exterior power outlets.~~
  - ~~(g) All setbacks shall contain an area equal to five (5) percent of the total setback area for temporary snow storage (until snow can be removed off-site).~~
  - ~~(h) Ten (10) percent of each setback area must be landscaped area.~~
  - ~~(i) Properties fronting Williams Street are encouraged to create an attractive, pedestrian friendly streetscape.~~
  - ~~(j) Dumpsters, trash, and storage areas shall be properly screened.~~
- ~~(Ord. [5-2016](#) §2)~~

~~Sec. 16-2-80. Block and building site patterns and side yard setbacks for 100 Block Commercial Zone.~~

- ~~(a) Vacations of or building across originally platted lot lines shall not result in a building greater than seventy-five (75) feet in width along Highway 24, Williams Street or Eagle Street.~~
- ~~(b) Building facades along Highway 24, Williams Street and Eagle Street shall not create the appearance of a single building that is wider than fifty (50) feet. Building facades must maintain the historic platted character of this area with building widths of twenty five (25) feet to fifty (50) feet.~~
- ~~(c) Maximum lot area (square feet): seven thousand five hundred (7,500).~~
- ~~(d) Minimum side yard setback is five (5) feet per twenty-five (25) foot wide platted lot. For buildings fronting or adjacent to Highway 24 located between Eagle Street and Williams Street, the Planning Commission may require that the side yard setbacks be combined for the purpose of creating a ten (10) to fifteen (15) foot side yard corridor between two (2) buildings.~~
- ~~(e) Corner lots: ten (10) foot front yard setback facing Highway 24; five (5) foot setback on side facing any new or existing street connecting to Highway 24.~~

## Chapter 16; Article 6: Old Town Character Area

### Sec. 16-6-35. - 100 Block Commercial Zone.

(a) The 100 Block Commercial Zone is characterized by a compact retail/commercial core area bisected by Highway 24. The area consists of businesses and residences with an identity of the historic commercial core that is distinct from other parts of the community.

(b) The purpose of this area is to provide convenient commercial services to residents and visitors and to promote the development of the Town's primary retail commercial district. Accommodation of sales tax-generating commercial uses and non-street level residential units can enhance Old Town vitality while maintaining the visual character and scale. Street level space within the 100 Block Commercial Zone shall be dedicated to retail uses. Non-street level space within the 100 Block Commercial Zone may be used for compatible retail, office, and residential uses.

(c) The 100 Block Commercial Zone should function as a pedestrian shopping corridor. Buildings ~~should be~~ **shall** oriented toward sidewalks and pedestrian areas with storefront windows and main entrance doors. The scale of buildings both in terms of height and width should encourage transparency, pedestrian engagement, and facilitate pedestrian movement not only along Highway 24 but also between Highway 24, Williams Street and Eagle Street.

(d) The small town **historic** main street character will be maintained by keeping in scale ~~of~~ **with the** original plat of twenty-five (25) foot by one hundred (100) foot lots and one (1) to two (2) story building heights **frontages along Highway 24**. Large monolithic buildings and "strip" retail areas are ~~discouraged~~ **not allowed**. **New development in the 100 Block shall follow the standards and guidelines provided in Appendix B which seeks to ensure new structures maintain compatibility with historic structures while bringing new uses to increase vitality.**

Sec. 16-6-70. – Old Town Character Area use table.

**Note that this section notates only changes to the 100 Block section of the use table.**

	<b><u>100 Block: A</u></b>	<b><u>100 Block: B</u></b>
Accessory apartments (street level)		<u>C</u>
Accessory dwellings (street level)		<u>C</u>
Business and office services	<u>C</u>	<u>C</u>
Multifamily dwellings (street level)		<u>C</u>
Professional activities (street level)		<u>C</u>
Professional offices, business offices and studios (street level)		<u>C</u>

## Chapter 16; Article 16: Off-Street Parking and Loading

### Sec. 16-16-150. – 100 Block Incentive-Based Parking Program.

**In order to incentivize sales-tax producing uses and the reuse of existing structures, new development in the 100 Block Zones may opt to reduce parking standards by providing the following:**

- (a) Development shall calculate the total number of spaces required by the code for the proposed program by using Table 16-10, 16-11, and 16-12. The resulting number of spaces = A.**
- (b) Development shall calculate the total number of spaces required for the proposed program using the following incentive-based formula. The resulting number of spaces = B.**
  - a. All sales-tax generating uses (commercial, retail, restaurant, etc.) = no on-site parking required.**
  - b. All projects that reuse an existing structure (for the newly programmed use(s) included inside the structure) = no on-site parking required.**
  - c. Offices and non sales-tax generating commercial uses = 1 space per 500 sq. ft.**
  - d. Light industrial = 1 space per 1,000 SF**
  - e. Residential (up to 2-bedroom) = 1 space per unit**
  - f. Lodging, hotel/motel, bed and breakfast = 0.5 spaces per rentable room**
- (c) Conduct the following calculation:**
  - a. A (minus) B (minus) allowable on-street/off-site spaces (Sec. 16-16-60) = # of spaces required for in lieu fee. The resulting number of spaces = C.**
- (d) Developer shall pay in lieu fee to the Town of Minturn at a rate of C (times) \$10,000.**
- (e) Developer would be exempt from in lieu fee if the following is true:**
  - a. Development meets parking requirements from Tables 16-10, 16-11, and 16-12; and**
  - b. Development allows the additional parking (C) on-site to be used for public or shared parking for other uses in the 100 Block.**

## Appendix B – Minturn Design Standards and Guidelines

### B. Goals, ~~and~~ Objectives, and Guiding Principles

In order to preserve and enhance the built environment, and to further the character of the community, Minturn has adopted design standards and guidelines for development. The Minturn Community Plan contains the community's vision for the future, a future that is grounded in the character of the past. This character is based on a respect for both the history and environment of the region, a respect that is evident in the existing architectural styles and layout of the Town. The preservation and enhancement of landforms, vegetation, and wildlife habitat are consistent with these objectives.

These standards and guidelines are to be used as a supplement to the Town of Minturn Zoning Code. Review of compliance with these design standards and guidelines will occur for all new development, as well as major restoration and/or renovation of existing structures or developments within the Town boundaries.

New projects should be designed with the following guiding principles in mind:

1. **Minturn is Rich with History** – all designs should respect and reflect our rich history and help keep our stories alive for future generations.
2. **Minturn is Close to Nature** – every building in Minturn is steps from nature – we respect and appreciate our environment in all aspects of design.
3. **Minturn is Colorful** – Minturn is not dull – look around and you will see colorful buildings, roofs, people, and landscapes. New designs should reflect our diversity by implementing a colorful, not dull, palette.
4. **Minturn is Authentic** – we have never tried to be like other communities – we are uniquely and proudly the one and only “Minturn.” New designs should contribute to our meaning and authenticity.

5. – 100 Block Commercial Zone  
(see insert)



# 100 BLOCK

## Design Standards and Guidelines

APPENDIX B INSERT



June 2022 (DRAFT)

# CONTENTS

This document is organized into three chapters, as described below.

## 1 100 Block Framework

This chapter provides a framework for the 100 Block, presenting a quick history, key elements and principles for all new development. It provides guidance for how a project should respond to its surroundings and accent 100 Block assets to work toward becoming a cohesive, historic commercial core.

## 2 Site Design

This chapter provides specific design standards and guidelines as they relate to an individual site. These include the design and treatment of setbacks and other open space on a site as well as parking, screening, landscaping, and lighting.

## 3 Building Design

This chapter provides specific design standards and guidelines as they relate to an individual building. These include the appropriate scaling of a building and architectural elements, activation of edges, materiality, and roof design.

## STRUCTURE OF DOCUMENT

The standards and guidelines herein are structured so that they can be easily followed and referenced. They are written as follows:

### XX.1 THIS IS A TOPIC OR PRINCIPLE.

A. This is a standard (rule).

» *This is a guideline (advice) or supplementary information.*

A **topic or principle** explains what the standards and guidelines are about. A **standard** is a rule that shall be met if it applies to a particular site. Standards provide clear expectations for all projects to follow. A **guideline** is advice for a project - it is intended to give ideas for how a standard may be applied.

# PURPOSE

This document replaces the former 100 Block Character Area from **Appendix B** of the Minturn Municipal Code. It seeks to provide guidance to property owners, developers, elected officials, and commissions so that the community's vision for the 100 Block can be realized over-time.

This document will be **used by the Planning Commission**, which serves as the design review body for the town, to review individual projects that are proposed in the 100 Block. All projects must also follow **Appendix B: General Design Standards, Chapter 16** sections of the municipal code that relate to the 100 Block were also updated at the same time so that dimensional standards and other zoning regulations match the standards and guidelines.

# PROCESS

The standards and guidelines were developed using input from the community. Two community **design charrettes** were held (October 2020 and February 2022), as well as **multiple meetings** with stakeholders, the Planning Commission, and Town Council. The community agreed on many aspects of the vision. There was disagreement on the appropriate scale of buildings and whether or not the area (or individual buildings) should be designated historic. Ultimately, this document and the code update seeks to **find a balance** between opposing views while **implementing the desired vision** to create a 100 Block that is allowed to evolve while requiring that new projects contribute to a **sustainable and vibrant future**.

- ▼ APPENDIX B - MINTURN DESIGN STANDARDS AND GUIDELINES
  - I. INTRODUCTION
  - II. GENERAL DESIGN STANDARDS
  - ▼ III. - CHARACTER AREAS
    - 1. - GROUSE CREEK CHARACTER AREA
    - 2. - OLD TOWN CHARACTER AREA
    - 3. - SOUTH TOWN CHARACTER AREA
    - 4. - 100 BLOCK COMMERCIAL ZONE



Design Guidelines  
100 Block Commercial Zone



## 'History meets Present'

*This document replaces the former Design Guidelines for the 100 Block Commercial Zone with cover page shown above. Principles from the former guidelines were carried over, as applicable.*



**MINTURN 100 BLOCK**  
Design Workshop | February 15, 2022



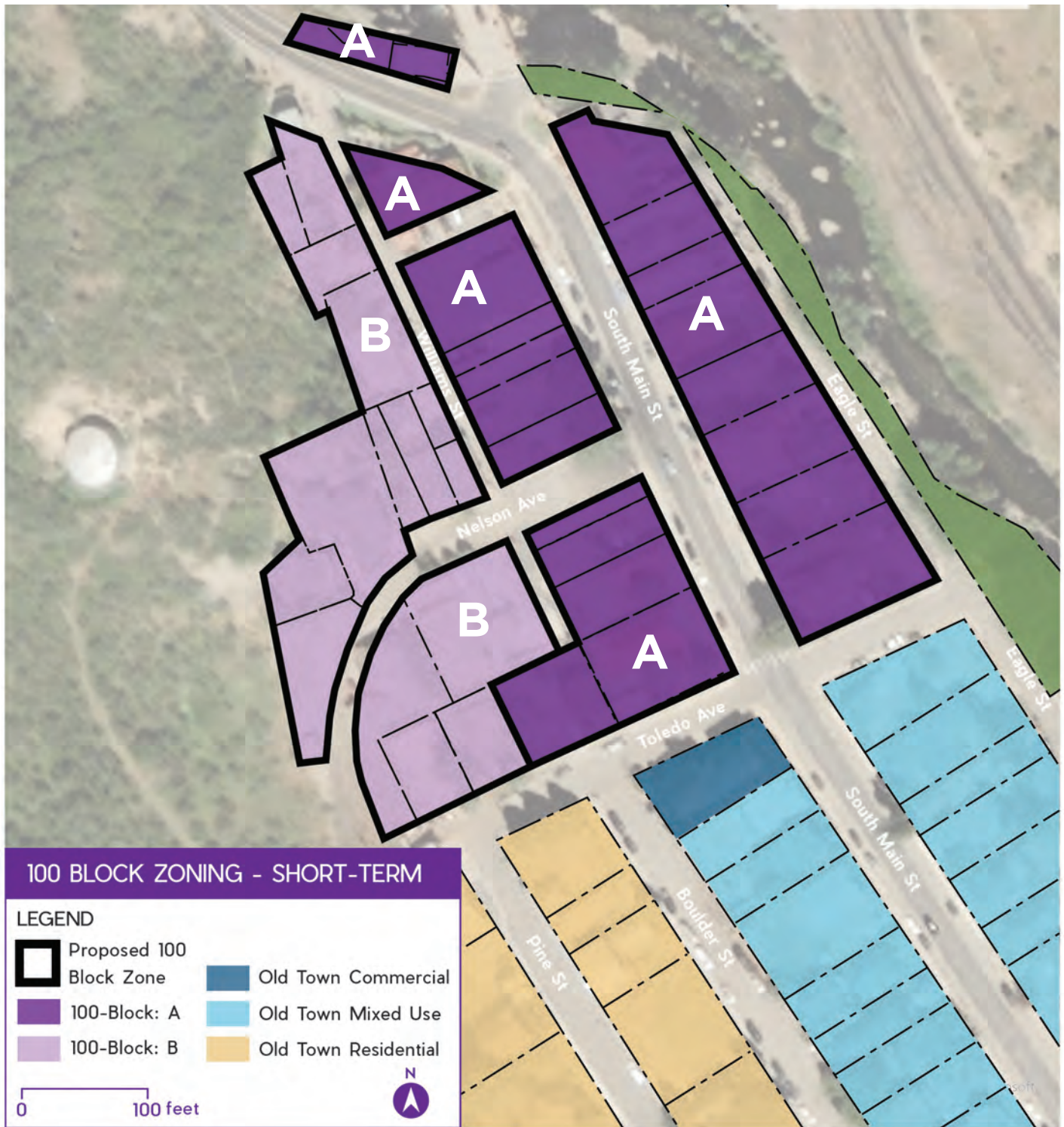
*A Public Design Workshop was held on February 15, 2022 to discuss key elements of new development including: building height and frontage, site design and public realm, and parking. There were approximately 40 attendees.*



# APPLICABILITY

The design standards and guidelines herein apply to all properties outlined in heavy black line below. The **new 100 Block Zone** includes an **A and B subareas**, which the standards and guidelines may reference if differences apply.

**100 Block: A** is essentially all properties that face Main Street and **100 Block: B** is all properties that face Williams Street and Nelson Avenue going up the hill.





## 100 BLOCK FRAMEWORK

# 1

The 100 Block is the **gateway to Minturn** and the heart of town. It is the **historic center and commercial core**, although over-time commercial uses have extended past the 100 Block along Main Street. The 100 Block should remain the commercial core into the future, where there is ample opportunity for small, local businesses to thrive as well as more opportunity for people to live and visit. It is important to the community that the historic assets be saved and the history and authenticity of Minturn be celebrated. **Main Street** will remain the primary thoroughfare, although public and private improvements will help activate and improve the experience. **Williams Street and Eagle River Street** will become quaint public spaces where pedestrians and cars share the space and active uses breathe new life to these areas. Space between buildings will be used for **pedestrian passages, small gathering spaces and outdoor dining areas**. **Views** of the water tower, Eagle River, and hillsides will be preserved and celebrated.

# QUICK HISTORY

Minturn was established in the late 1800s as a railroad town and incorporated in 1904. It originated on **mining, farming, and railroad** industries and jobs. It has maintained a feeling of a **quaint mountain village** amongst great change in Eagle County and surrounding areas with Vail and Beaver Creek resorts developing in the late 1960s to 1980s. Though tourism has picked up in recent years, Minturn remains a **local's place**.

Today, Minturn is still primarily a **working class town** with nearly 40 percent of employment in construction and related trades. Minturn has remained a local, authentic place over the years. It is entirely made up of **small, local businesses**, started from people that have invested their personal time and money to help Minturn prosper. It faces challenges related to growth and affordability as land values have escalated at high rates in recent years, as they have all over Colorado.



*A two-story building with wood siding, sidewalks, and covered arcade includes a storefront and area where people can gather as they watch a carriage being pulled from a ditch on Main Street.*



*The two-and-a-half-story Eagle River Hotel includes a simple architectural form with a gabled roof and dormer. A porch on the front defines the entrance.*



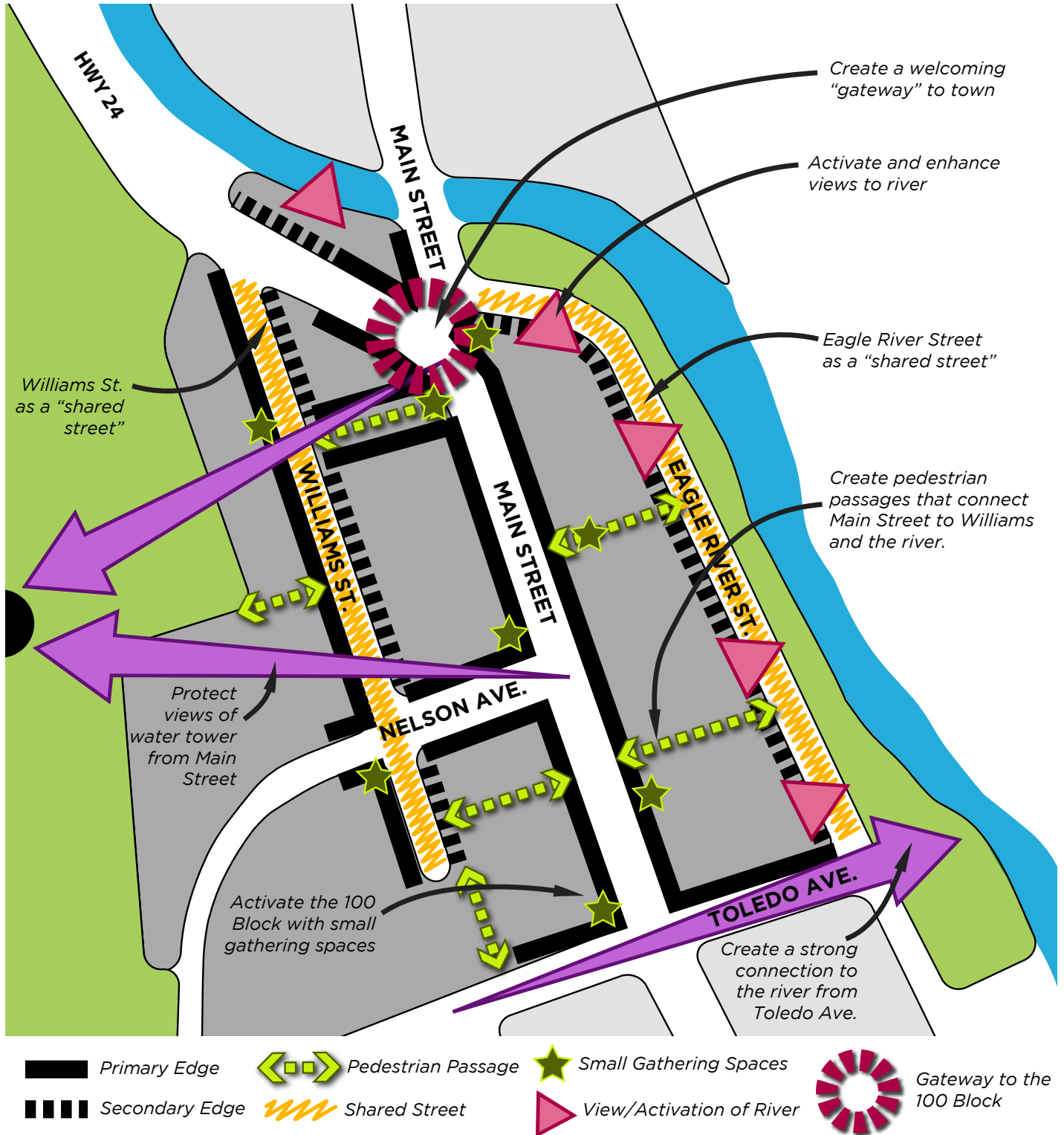
*The Williams Cafe and Bar (now Magustos) is a wood and stucco structure that includes an arcade and storefront.*



*Main Street circa 19?? includes 2-story buildings at the sidewalk edge (zero setback) with narrow sidewalks.*

# 100 BLOCK FRAMEWORK

This framework diagram explains key elements for the 100 Block that all projects should follow. Design principles that relate to the 100 Block Framework are provided on the following page.



100 Block Framework Diagram

# FRAMEWORK PRINCIPLES

The following principles describe elements that will help implement the vision for the 100 Block. Each project should meet the following by providing a response to each principle in a project narrative

## FP.1 CONTRIBUTE TO AN AUTHENTIC PLACE.

Minturn is known for being **authentic**. It's authenticity has been built over time, where layers of history are reflected in its people, places, and architecture. **What makes 100 Block authentic?**

- **It doesn't have a prescribed style of architecture** - each building seems to have it's own personality.
- **It has a rich history, but also has been built over time**, where buildings from different eras coexist and some have been added onto or modified to respond to new demands and uses.
- **It is made up of local businesses** - they are something you can only find in Minturn.
- **It is not another tourist mountain town** - though people love to visit, Minturn was not built *around* tourism. Design for locals first.

Each new project in Minturn's 100 Block should consider these aspects that make up its authenticity and contribute to it in similar ways, through unique architecture, a nod to history, and as a local's place first and foremost.



*Minturn's local businesses is one thing that contributes to its authenticity (and awesomeness.)*

## FP.2 DESIGN AT A HUMAN SCALE.

The 100 Block is **quaint**. Though new buildings may be larger than traditional buildings, their **scale should be compatible** to their surroundings. A new building should blend in, rather than stick out.

Designing at a human scale means designing a building that is **comfortable** for someone to stand by and be in. It is made with materials that are small and modular - that can be carried by a person. They include details that add interest and delight to the human experience. They are designed to be experienced by pedestrians rather than cars.

Design new projects in the 100 Block with these elements in mind where each individual project contributes to a scale that is compatible and comfortable.



*Designing at a human scale means designing a building that is comfortable for someone to stand by and be in.*



*Human scale design is designed to be experienced by pedestrians rather than cars.*

### FP.3 ACTIVATE EDGES.

The vision of the 100 Block is to continue to be the commercial core and activity center of Minturn with active storefronts and sales tax-generating uses throughout. To create this desired activity, include **active uses**, e.g. businesses that are open the majority of the day and create activity on the street from people coming and going. This includes but is not limited to: coffee shops, cafes, restaurants/bars, retail stores, and ice cream/candy shops.

**Primary edges** (Main Street, Williams Street, and side streets) shall require active uses on the ground floor.

**Secondary edges** (east side of Williams and west side of Eagle River Street) should encourage active uses, but may also require access to parking or other back of house uses. Activation of these edges may include enhanced screening, landscaping, or public art - however, if possible, secondary entrances and active uses are also encouraged.



Active storefronts and tax-generating uses that engage the streets and sidewalks are desired.

### FP.4 CELEBRATE AND ENHANCE IMPORTANT VIEWS

The **water tower** is iconic to Minturn. Views to the water tower from key intersections should be celebrated. A project at these locations should consider someone taking a picture - where the water tower is visible and part of the composition.

Views of the **Eagle River** are also important. Minturn would like to elevate the river as a key asset, so improving access and views to the river is a key component to achieving the vision.

**Secondary uses** to Main Street could be placed along Eagle River Street to activate it or **upper floor roof decks** could overlook the river. **Eagle River Street** should be a unique, quaint experience that encourages pedestrians to enjoy time walking along or resting at the edge of the river.



Views to the water tower from key intersections should be maintained.

## FP.5 CREATE A WELCOMING PLACE.

The 100 Block is the “gateway” to Minturn and therefore, should appear **welcoming**. This means that activities should orient to Main Street, the public realm should be **well-designed and maintained** year-round, and the experience of navigating to destinations (businesses, parks, parking, etc.) should be very clear.

Projects located at the main intersection, or “gateway,” shall contribute to **provoking a sense of arrival** and an iconic and unique sense of “Minturn.” The public realm should be coordinated and consistent in design. And architecture should be unique to Minturn and of highest quality and attention to detail.

Throughout the 100 Block, each individual project should create **welcoming and inviting places**. This can be achieved by creating interactive places such as: small plazas, pocket parks, outdoor dining and retail, and public passages. These design elements tell people that they are welcome to navigate through the 100 Block with ease and delight.

Note that locations of passages and gathering spaces on the diagram are not exact, but indicate the general amount of these elements needed to create a successful network.



*Caption here...*



*Create interactive places.*



*The Minturn Anglers building serves as an iconic “gateway” building.*



*Create welcome and inviting places.*



## SITE DESIGN

# 2

Site design refers to the arrangement and placement of buildings as well as other site features on a particular lot - such as landscape/hardscape, parking, trash, and snow. The goal is to improve the overall experience and appeal of the 100 Block by having well-organized and inviting spaces as well as clear rules to maintain them.



# SITE DESIGN: DEFINING FEATURES

The original and current layout of the 100 Block, as seen to the right, shows that much of the original structure of the 100 Block remains. It appears that Eagle River Street may have been put in at a later date and Highway 24 cut through south of the Eagle River heading west. The following are defining site features to consider in new designs:

## 25' LOT PATTERN

The original plat includes a series of lots that orient to Main Street with a 25-foot wide frontage. This allowed for multiple businesses to have visibility and access to customers and created a cadence along the street that changed properties (and therefore buildings) every 25-feet.

## LINEAR NORTH-SOUTH ARRANGEMENT ALONG MAIN STREET

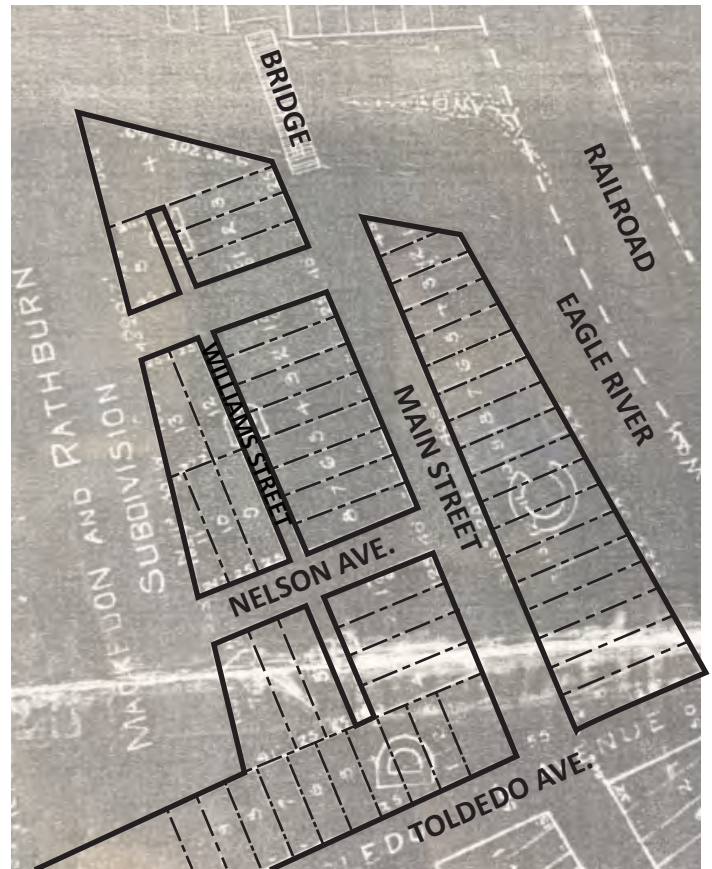
Due to surrounding topography, the arrangement of the 100 Block has remained linear in nature where the focus has always been on Main Street, and other roads are mainly used for access.

## EAGLE RIVER AND RAILROAD

The river and railroad are consistent site features of the 100 Block that appear to be in their original alignment and location. Toledo Avenue has always terminated at the river's edge and the Bellm Bridge location is identical. Both elements contribute to the rich history of Minturn.

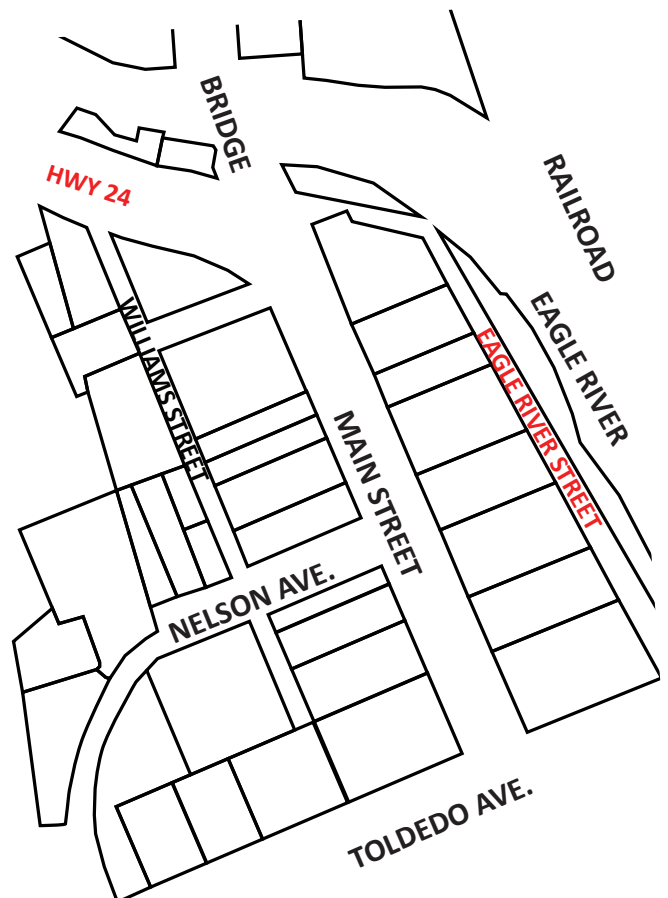
## WATER TOWER

The Minturn water tower is situated above the 100 Block on the hillside to the west. This site feature is iconic to Minturn, as it has the "Minturn" name and can be seen from just about anywhere in the 100 Block due to its position high on the hillside.



Above: historic platting of the 100 Block

Below: current lot layout of the 100 Block



# SITE DESIGN: STANDARDS AND GUIDELINES

## SD.1 STREET DESIGN

A. **Main Street and Toledo and Nelson Avenues** shall include a minimum **5-foot** public sidewalk adjacent to the curb. This space shall remain free and clear of objects at all times.

B. **Main Street and Toledo and Nelson Avenues** shall include a **5-foot** front setback adjacent to the sidewalk. The first **2-foot** of the setback shall contribute to widening the sidewalk to create a 7-foot clear walking path.

» *The additional 3-feet of setback may be used for objects such as: sandwich boards, planters, benches, sales racks or other outdoor display of goods, landscaping, cafe seating, etc.*

C. **Main Street** requires that **40%** of a property's frontage include a minimum **15-foot** setback. This area shall be accessible from a public sidewalk.

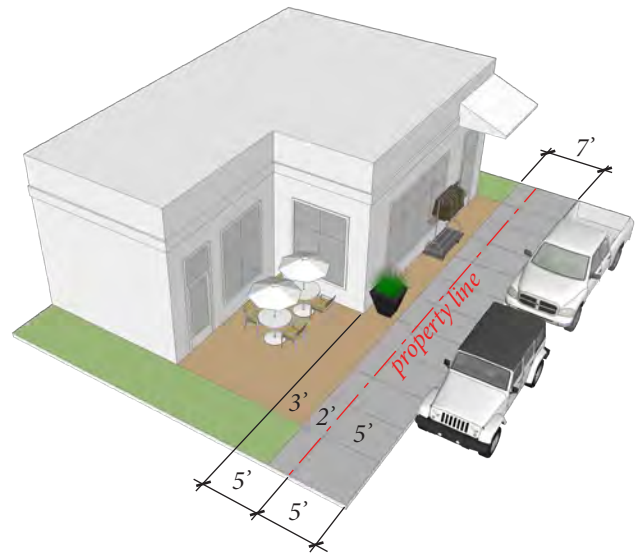
» *Design these spaces to be welcome and inviting. Consider ambient lighting, cafe seating, or other ways to activate the space.*

D. **Williams Street** shall include a **15-foot** clear public right-of-way (shared between vehicles and pedestrians) plus a minimum **5-foot** setback on either side for a total dimension of **25 feet** from building face to building face.

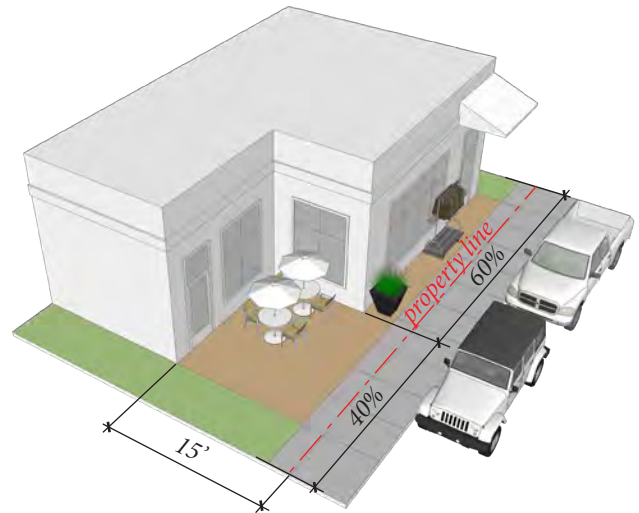
» *Consider changing the material of the setback area to differentiate it from the right-of-way.*

E. **Eagle River Street** shall include a **15-foot** clear public right-of-way (shared between vehicles and pedestrians) plus a minimum **5-foot** setback on the west side and 5-foot sidewalk on the east side for a total of **25 feet** from building face to back of sidewalk.

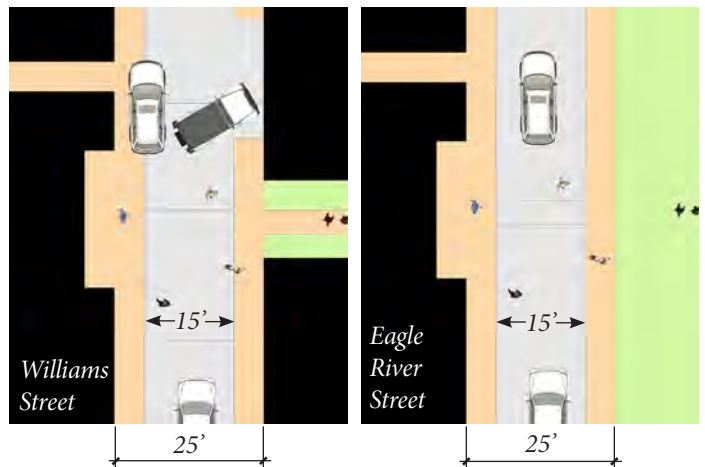
» *Consider changing the material of the setback area to differentiate it from the right-of-way.*



*Main Street and Toledo and Nelson Avenues shall maintain a 5-foot sidewalk adjacent to the curb and dedicate an additional 2-feet of setback to the sidewalk to create a 7-foot wide sidewalk.*



*Along Main Street, 40% of a property's frontage shall be setback a minimum of 15-feet from the property line.*



*Williams and Eagle River Streets shall include a 15-foot clear public right-of-way (shared between vehicles and pedestrians) with a minimum setback of 5-feet.*

## SD.2 ORIENTATION

- A. **Primary orientation**, meaning the “front(s)” of a building where the primary use(s) and entrance(s) are located shall be placed so that they face a primary edge (refer to Framework Diagram on page 9).
- B. **Secondary orientation** shall include entrances to secondary uses and upper floors and shall face secondary edges (refer to Framework Diagram on page 9).
- C. Where a public or semi-public space (plaza, park, sidewalk, street, etc.) is adjacent to a building, orient the building to **interact with and overlook** the outdoor space (i.e. include entrances and/or windows at eye-level.)
- D. Orient a building’s massing and design a site to **maximize sun exposure and minimize shading** on adjacent properties.
  - » *Defined setbacks in Chapter 16 are designed to maximize sun exposure, but to the extent that a project can modify a design to create more sun access, it is desired.*
  - » *Utilize architectural features and/or landscaping to assist with seasonal sun control. For example, in the winter when the sun is lower it is important to allow sun deep into the building whereas in the summer when the sun is high, it is important to offer shading, such as through overhangs, awnings, deciduous trees, or other shading device.*



Where a public or semi-public space is adjacent to a building, orient the building to interact with and overlook the outdoor space.

## SD.3 PUBLICLY ACCESSIBLE AND PRIVATE OPEN SPACE

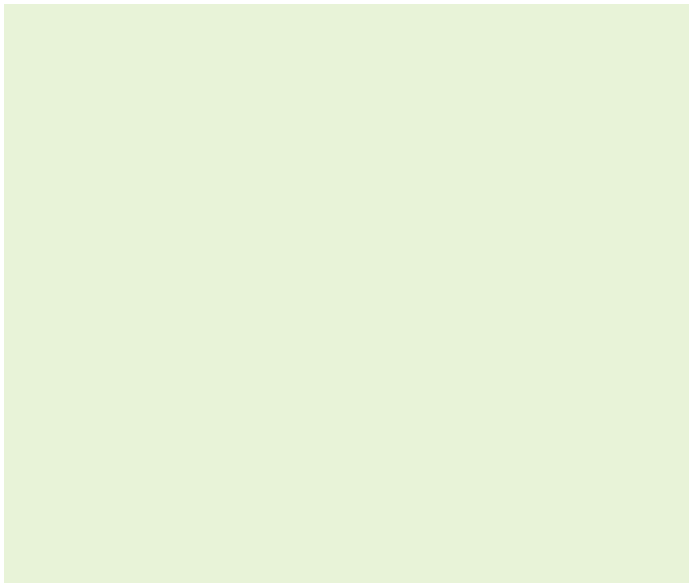
- A. Required **publicly accessible open spaces** shall be **visible from and designed to activate** the adjacent right-of-way. If a new development is **adjacent to a low-scale traditional building**, the open space shall be placed toward that side of the property.
  - » *Design these spaces to generate activity. Add elements like: places to sit, public art, dining area, lighting, and signage.*
  - » *If an enclosure is required for a dining space that serves alcohol, design the enclosure to be as open and transparent as possible.*
  - » *Consider the use of special paving to accent this space and differentiate it from the public sidewalk.*
  - » *Locate these spaces to maximize sun exposure.*
- B. A **publicly accessible passage** through a site shall include a minimum **4-foot** wide sidewalk. A minimum **8-foot** setback shall be required for the entire space. Provide **full cut-off light fixtures** to light the pathway.
  - » *The entire space may be paved so long as the site’s pervious surface requirement has been met elsewhere.*
  - » *Pavers or other material may be approved by the design review commission.*
- C. **Private open space**, such as a patio, balcony, or roof terrace shall be a minimum of **5-foot** deep and **6-foot** wide.



Locate open spaces to maximize sun exposure and design them to be activated.

## SD.4 PARKING

- A. Parking **shall not be accessed from Main Street** and shall be set back a minimum of **25 feet** from Main Street. Parking shall be accessed from Nelson, Toledo, Williams, or Eagle River Street.
- B. If surface parking is located adjacent to a public street or publicly accessible open space, the side facing the public space **shall be screened** from public view a minimum of **36"** from the ground.
  - » *Use or combine the following methods: Landcaping, site walls, decorative fencing, public art, or other method that meets the intent of screening*
- C. **90-degree, angled, and tandem parking** on Williams and/or Eagle River Streets shall be allowed, only if deemed appropriate by the Design Review Board.
  - » *Consider the amount of space available and use(s) of parking.*
- D. **Combine access** to two adjacent parking lots, wherever feasible to reduce the amount of driveways needed and to maximize parking counts.
- E. Design the **entrance** to any type of structured parking - podium, underground, or structured - to be clearly labeled with signage. If the structure includes a portion of public parking, a public parking sign shall be used and public spaces shall be clearly marked.
- F. **Integrate the design** of any type of structured parking into the architecture of the building. It shall not appear to be a separate structure or lack design detail because it is parking.



Caption here...

## SD.5 SCREENING AND SNOW STORAGE

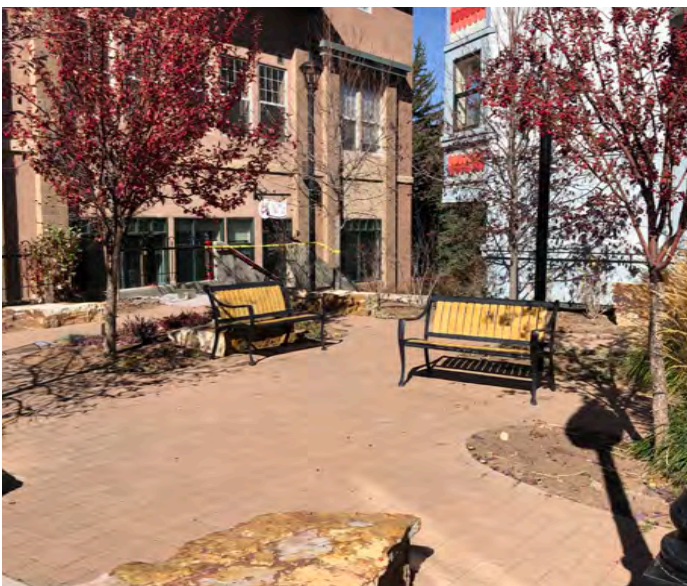
- A. A **designated area** for trash containers and snow storage shall be provided on a site plan.
  - » *These may be located in separate locations.*
- B. Refuse storage, general storage, loading and mechanical shall be **screened** when visible from a public right-of-way. Screening methods shall be incorporated as part of the landscape and architectural design - using **high-quality materials** that align with the design concept. Any permanent structure shall **meet the setbacks** within Chapter 16.
  - » *Coordination amongst adjacent property owners to share refuse containers and storage facilities is encouraged.*
- C. **Fences** in the front of a lot shall not exceed **3-feet** for opaque and **4-feet** for transparent. Fences in the rear shall not exceed **6-feet**. All refuse storage, no matter where the location shall be **6-feet** tall if detached from the primary structure.
  - » *Incorporating a permanent space within a covered or fully enclosed garage as part of the primary structure is encouraged.*
- D. **Snow shall be cleared** from public sidewalks by **8am** following a storm event and consistently maintained during typical business hours of **??? to ???**.
  - » *Consider snow maintenance when designing the site plan for a project. Provide common areas where snow can be placed, ideally pervious locations to allow snow melt to be transferred underground.*



All refuse storage shall be 6-feet tall if detached from the primary structure and designed with high-quality materials.

## SD.6 LANDSCAPE AND HARDSCAPE

- A. **Trees** placed within a setback facing Main Street shall be treated as “street trees” and be placed in a **tree grate** level with paving so that pedestrian space is maximized. These trees shall be **deciduous**.
- B. **Tree species** shall be proven as successful trees in Colorado high mountain climates with ample soil volume for deep root growth. Fruit bearing trees are not permitted.
- » *Seasonal coloring of leaves is desired.*
- C. Landscape plans shall select **drought-tolerant, low maintenance** plants and be coordinated with low impact development (LID) standards in the code.
- » *Plants that need little to no irrigation are desired.*
  - » *Annuals in planters that require more water may be used in prominent locations such as along Main Street.*
  - » *Avoid using planters that may become used as or mistaken for trash containers.*
- D. **Hardscape** (pavers, gravel, mulch, decking) shall be selected so that it blends with the architecture and surrounding context.
- » *Consider materials that were historically used in Minturn such as wood and stone.*
  - » *Consider maintenance and availability of materials when replacement is necessary.*



*Hardscape shall be selected so that it blends in with the architecture and surrounding context. Seasonal coloring of leaves is desired.*

## SD.7 LIGHTING

- A. **Minimize light spill** onto adjacent properties and toward the sky.
- » *Use a fixture that provides even lighting for a plaza, courtyard or patio area.*
  - » *Shield site lighting to minimize off-site glare.*
  - » *Orient fixtures to the ground.*
- B. Lighting shall be provided for all **publicly accessible open spaces** (plazas, pocket parks, passages) and facing **public streets**.
- » *Small-scale fixtures with down-lighting or light bollards may be used to illuminate a pathway.*
  - » *Overhead lights should be pedestrian-scaled (approximately 12-15 feet).*
  - » *Lighting may be affixed to a building and directed toward public spaces as well.*
  - » *All lighting fixture designs should be of a style that is compatible with the architecture and site design.*
  - » *Overhead “twinkle” lights should be allowed.*



*Lighting shall be provided for all publicly accessible open spaces.*

# SITE DESIGN: INSPIRATION



*An inviting semi-public pedestrian passage between two buildings includes windows, balconies, high-quality materials, and landscaping.*



*A small, shared street is activated with storefronts and windows, balconies, landscaping, and lighting.*



*A pedestrian passage to a parking lot goes through a wine bar courtyard with benches, tables, umbrellas, and overhead "twinkle" lights.*



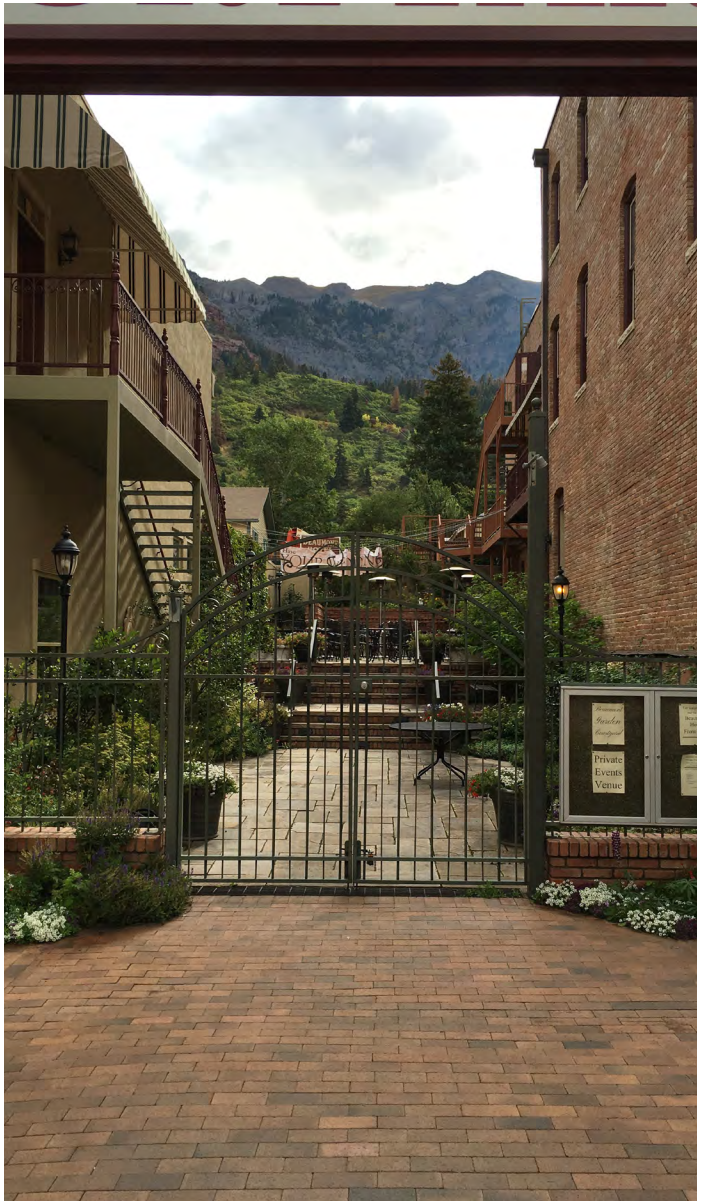
*Stone steps are designed to be a natural amphitheater and offer impromptu seating and play area for children.*



*A semi-public courtyard space is accessible and visible from a public sidewalk.*



*A main street is activated with cafe seating that is comfortable to sit in with landscaping and shade.*



*A private passage preserves a public view!*



*Flowers in the summer add vibrancy and let people know a place is cared for.*



*Recycled bicycles attached to a stair railing adjacent to a public space provides interest and whimsy and celebrates the cycling lifestyle.*



## BUILDING DESIGN

# 3

Building design refers to the size, forms, and scale of a building as well as materiality and color, roof form, and architectural details. This chapter does not intend to dictate a particular “style” of architecture. Rather, it is intended to maintain a similar scale and form so that the historic character and charm of the 100 Block remains while allowing progress and change to occur over-time. Each new building should add to Minturn’s uniqueness. Creativity is encouraged though limited boundaries are necessary.



# BUILDING DESIGN: DEFINING FEATURES

As shown in the Site Design chapter, the 100 Block was originally platted with 25-foot wide lots. This established a cadence to Main Street with multiple buildings and entrances along a block. Buildings were typically 1-2 stories with pitched roofs (some were one story with a pitched roof that had a faux facade to appear as a large, flat-roof structure.) They were built with simple forms and local materials. Ornate architecture was not common.

## A STAGGERED CADENCE

Though lots had a cadence of 25-feet, there has always been a staggered appearance to Main Street, as some buildings were built right up to the street and others were set back. Other lots were used for open space, or not developed leaving “holes” in the streetscape.

## SIMPLE FORMS

Traditional buildings of Minturn were simple boxes of one to two stories and pitched roofs. Additive features like roof dormers and awnings, or bay windows and porches on residential structures, added more detail. Some included faux facades that looked like a two-story, flat roof structure from Main Street, but had a pitched roof behind. Some, like the Eagle River Hotel, was taller and had a flat roof, but that was not the norm.

## NATURAL MATERIALS

Traditional building materials were primarily wood siding, although some stone masonry, brick and stucco were used as well. Roofs were primarily metal or asphalt shingled.

## A PATTERN QUILT

Some original buildings remain, but have been updated and others have been demolished and replaced. Regardless, what is left today is a “pattern quilt” with unique “squares” that make up the eclectic spirit that people love and cherish.



A historic photo of Main Street shows the staggered cadence of buildings along the street - some are at the sidewalk edge and others are set back.

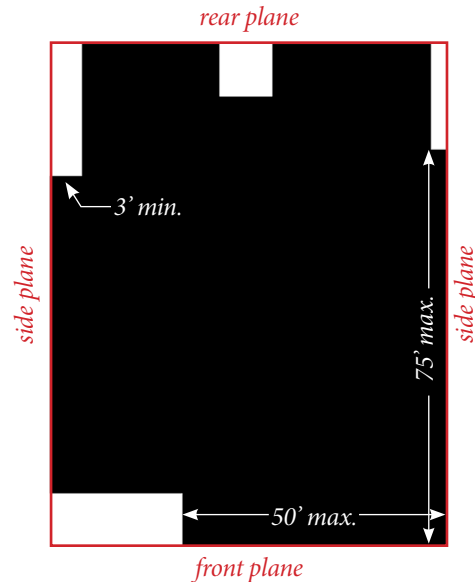


Artist rendering (credit: Beth Levine) of architectural styles in Minturn.

# BUILDING DESIGN: STANDARDS AND GUIDELINES

## BD.1 BUILDING FORM AND MASSING

- A. The **maximum length** of any wall on the same plane along the front and rear shall be **50-feet** and along the sides shall be **75-feet**. After this dimension, the building wall must shift on a horizontal plane a minimum of **3-feet**.
- B. **Main Street facades** shall be articulated every **25-feet** to reflect the historic platting of Main Street. Methods of articulation may include:
- » *A material change, plane change/wall offset, exposed structural detailing, or other architectural detail that provides a shadow line and breaks up the facade to maintain a cadence and scale of 25-foot intervals along Main Street.*
  - » *A change in height.*
- C. New structures shall **maintain a scale and compatibility** with nearby traditional buildings.
- » *Use similar building heights and/or datum lines (e.g. porch height, window sill/plate height, eave or ridge line, etc.) of adjacent structures.*
  - » *Align windows and use similar scale windows, where feasible.*
- D. Avoid forms that appear monolithic in comparison to the surroundings. **Break down the scale** of a building when adjacent to smaller structure(s). Consider the following:
- » *Transition a building height to be lower when adjacent to a one-story structure.*
  - » *Add elements like patios/porches, balconies, pergolas, awnings, etc.*
  - » *Use a lower floor-to-floor height or half-stories to maintain desired square footage without appearing monolithic.*
  - » *Also refer to BD.2 Street Level Design*
- E. **Express historic industries** of Mintun in the building form and massing: mining, railroad, farming.



*Front and rear planes shall have a maximum wall dimension of 50-feet and side planes shall have a maximum of 75-feet. A 3-foot minimum offset is required to differentiate planes.*



*New structures shall maintain a scale and compatibility with nearby traditional structures.*



*Break down the scale of a building when adjacent to smaller structure(s).*

## BD.2 STREET LEVEL DESIGN

- A. The street level of a building **facing Main Street** shall include a minimum of **70%** transparency.
- B. **One entrance per 25 feet** is required along **Main Street**.
- C. Design each street level (ground floor of a building facing a public street) to **be active and engaging** and provide visual interest for pedestrians. A **storefront** shall be required along **Main Street**.
  - » *Reflect historic patterns and proportions for new storefront designs.*
  - » *If the use is not compatible with a storefront, an alternative may be approved by the Design Review Board.*
  - » *Alternative options for street-level design include: windows, doors, display windows, landscaping, wall art/mural.*



The street level of a building facing Main Street shall include a minimum of 70% transparency, have an entrance every 25-feet and be designed to provide visual interest.

## BD.3 MATERIALS AND COLOR

- A. **Primary materials** shall be selected based upon historic use and compatibility with Minturn’s historic industries and built environment.
  - » *Natural materials such as wood and stone are preferred primary materials. Contemporary interpretations of wood, such as concrete board may be appropriate.*
  - » *Brick is not a commonly found material in the 100 Block but may be applicable as a primary material due to its durability.*
  - » *Cementitious three-coat stucco may be used as a primary material, except facing Main Street.*
- A. **Secondary materials** shall add color and visual interest.
  - » *Metal or concrete boards or panels, stone veneer, stucco, or other contemporary material.*
- B. Extruded aluminum or vinyl siding and EIFS (exterior insulating finishing system) or other synthetic stucco shall **not be allowed**.
- C. **Color** is welcome in the 100 Block. Color selection shall take into consideration the context.
- D. Utilize materials that are **modules** - such as panels, siding, and masonry - to add human scale to a building.
- E. A **change of material** shall not be allowed on the same plane of a wall surface.
- F. Avoid using too many materials in a single design where a building appears too “busy.”



Utilize materials that are modules to add human scale to a building. Color is welcome in the 100 Block.

## BD.4 ROOFS

- A. Design **roofs** to **minimize the overall scale** of a building, be **compatible** with traditional forms, and **maximize sun access** to adjoining properties.
- B. **Pitched roofs** (gabled, hipped, and shed) are most common and preferred. **Alternative roof forms** such as mansard, gambrel, domed, curved, etc. are not allowed.
  - » *Utilize pitched roofs for additional indoor space, when feasible.*
  - » *Flat roofs and faux flat roofs are also present in traditional forms and should be permitted.*
- C. Roof shapes shall be made of **simple form(s) with additive features**. Do not over-complicate a roof form with too many forms.
- D. Be cognizant of where **snow** will shed. Do not place a public gathering space in a direct line of steep pitch. Place appropriate snow controls to avoid roof avalanches.
- E. Use **materials** commonly found in Minturn - metal (shingle or standing seam), shingle (asphalt or slate), or other material approved by the design review board.
  - » *Consider the color of a roof, especially when visible from a public street. Alternative colors (i.e. not black or gray) are welcome, so long as they are compatible with their surroundings.*
- F. In general, buildings and roof design should appear to **step up the hillside** when viewed from far away.

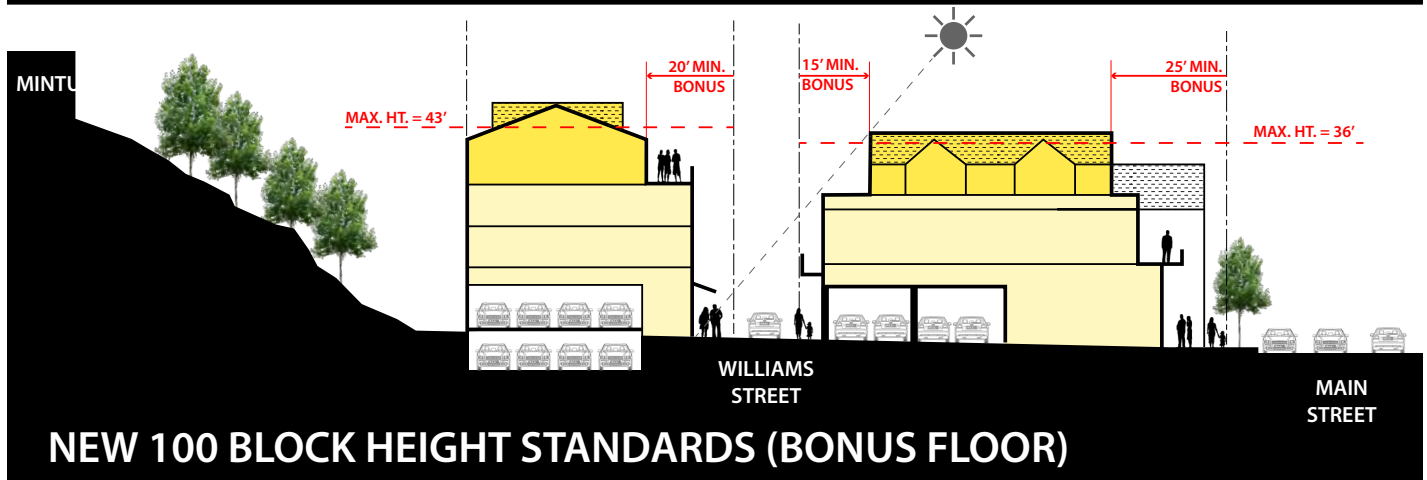
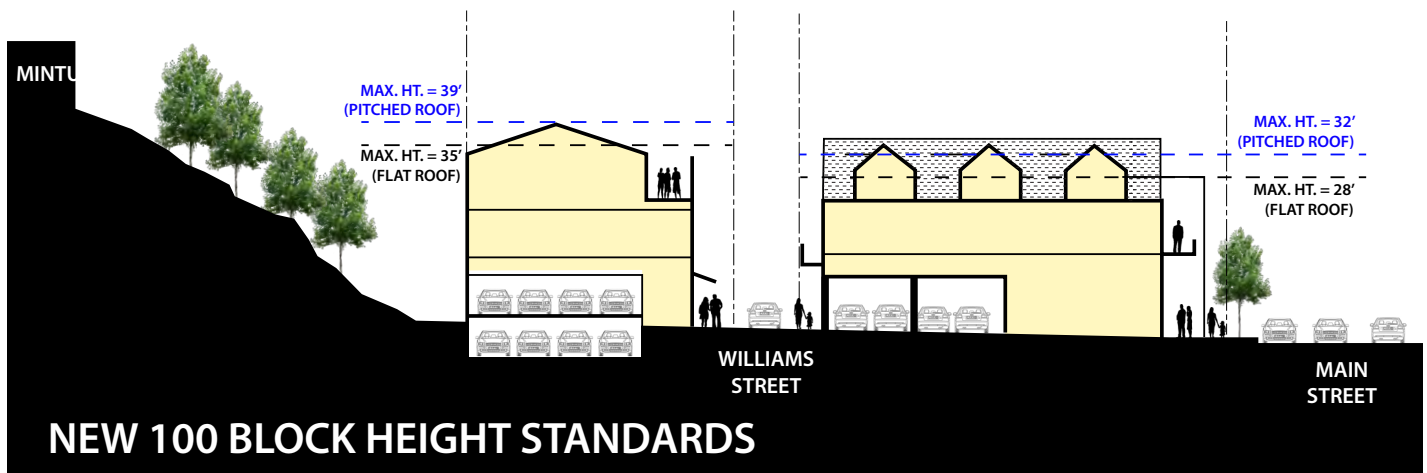


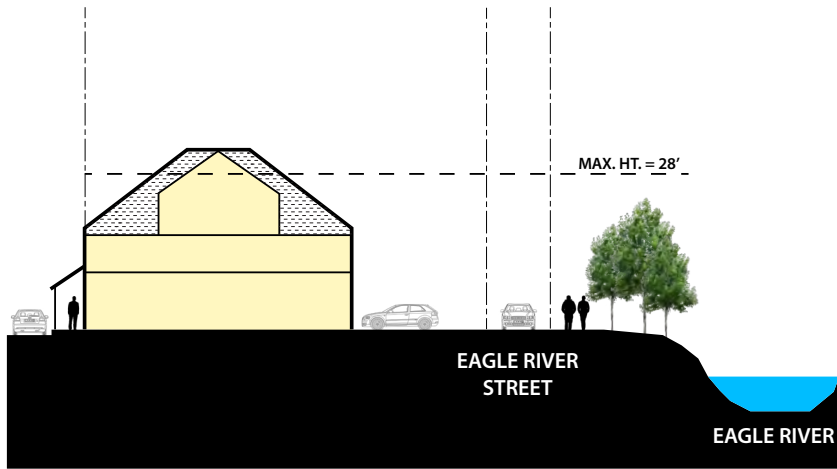
*Pitched roofs are most common and preferred. Roof shapes should be made of simple forms with additive features.*



*Buildings appear to step up a hillside.*

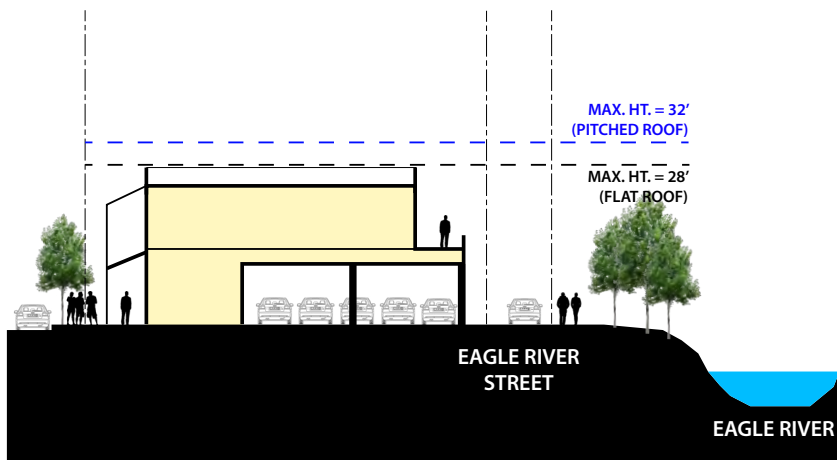
# BUILDING DESIGN: BUILDING HEIGHT STANDARDS





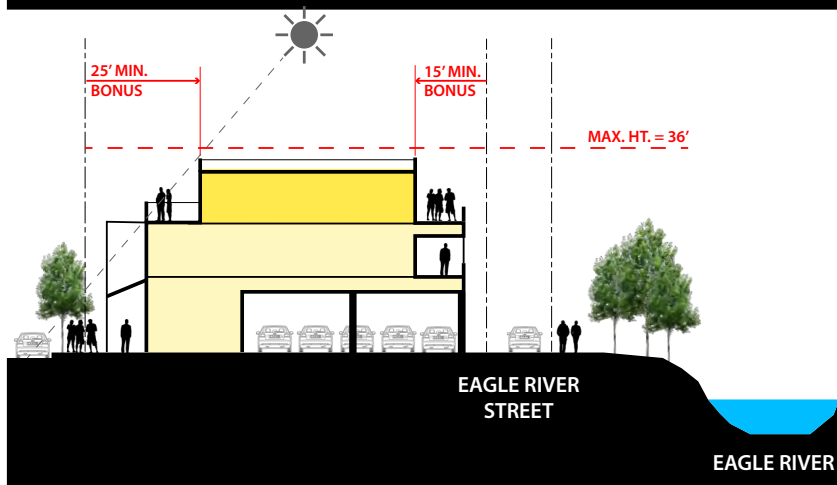
## FORMER 100 BLOCK HEIGHT STANDARDS

This diagram shows the existing conditions and former height rules for the 100 Block which included a maximum of **28-feet** for properties with frontage along Main Street (now 100 Block: A) and **35-feet** for properties off of Main (now 100 Block: B.) There was also a bulk plane for Main Street properties that required a setback or pitched roof after 20-feet at the Main Street setback line.



## NEW 100 BLOCK HEIGHT STANDARDS

The new rules keep a maximum of **28-feet (2-stories)** and **35-feet (3-stories)** in the same locations, but only for flat roof structures. **Pitched roof structures are encouraged** by allowing additional height: **32-feet (2.5 stories)** and **39-feet (3.5 stories)**. The diagram to the left shows the potential scale of new structures under these rules.



## NEW 100 BLOCK HEIGHT STANDARDS WITH A BONUS FLOOR

An additional floor/story may be added if it meets certain dimensional requirements as well as additional site improvement requirements. The maximum height for 100 Block: A is **36-feet (3-stories)** and 100 Block: B is **43-feet (4-stories)**. This option will provide variety in scale and development options while maintaining the scale of traditional structures.

# BUILDING DESIGN: INSPIRATION



*Two new buildings in a traditional downtown - one is contemporary modern with a flat roof and one is contemporary mountain with a pitched roof. Both blend in while adding their own sense of style.*



*A large building reduces its mass with a traditional rhythm of storefronts, adding features like awnings and planters, and stepping back the upper level of the building. Note that this building is larger than anything that would be allowed in the 100 Block, but offers similar methods desired for breaking down the scale of a building to be human scaled.*



*An open and airy storefront spills light onto a sidewalk, making it inviting and welcoming.*



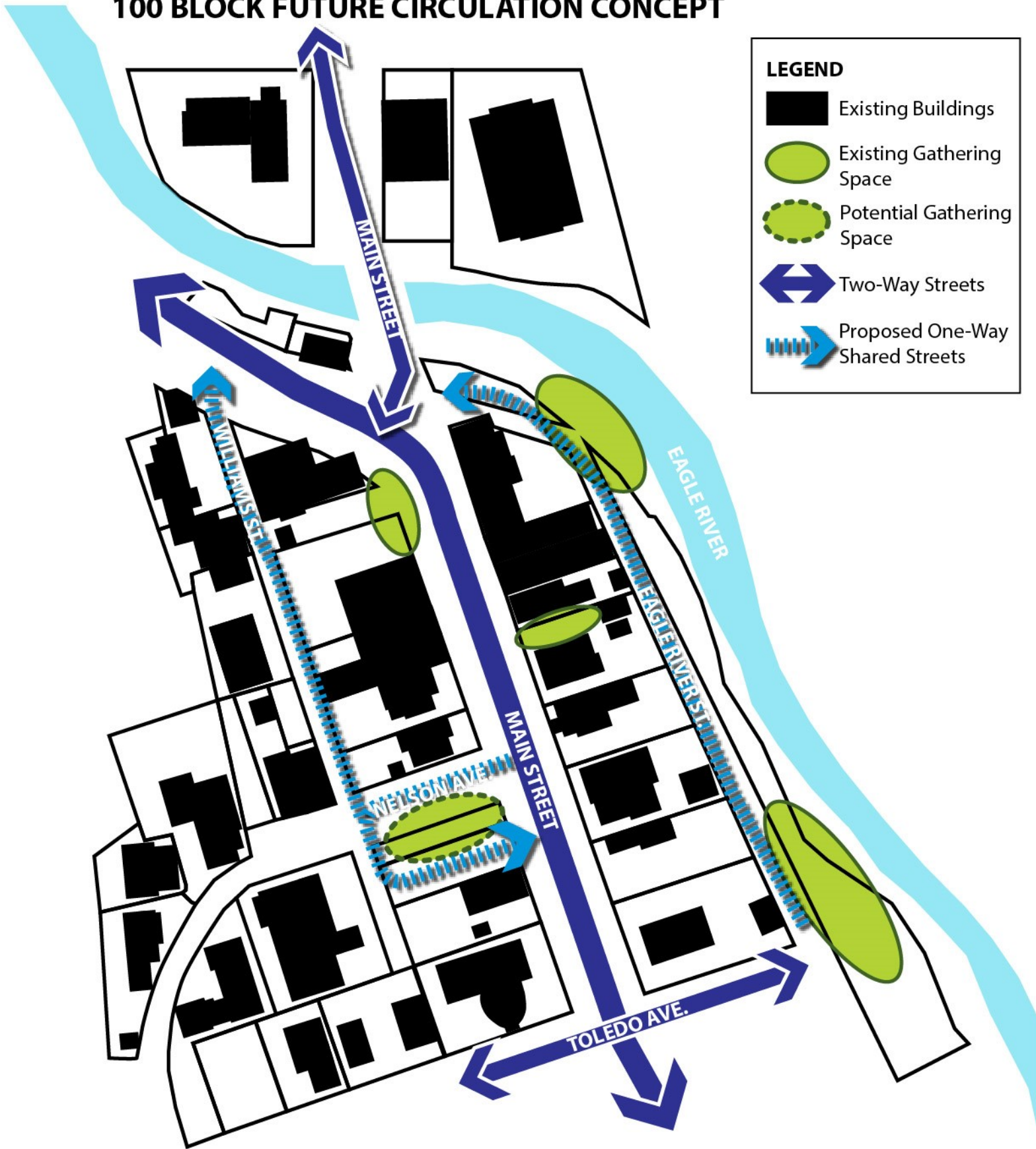
*A contemporary building uses wood and metal siding and activates the ground floor with a storefront, multiple entrances, and planters.*



*The “rear” of a building animates an alley by adding an active, tax-generating use. The scale of the building is reduced by stepping back upper floors to create a human scale from the ground.*



# 100 BLOCK FUTURE CIRCULATION CONCEPT



TOWN OF MINTURN, COLORADO  
ORDINANCE NO. 11 – SERIES 2022

AN ORDINANCE OF THE TOWN OF MINTURN,  
COLORADO AMENDING CHAPTER 16 OF THE MINTURN  
MUNICIPAL CODE TO AMEND AND REPLACE ZONING,  
LAND USE, DEVELOPMENT, AND DESIGN REGULATIONS  
AND STANDARDS APPLICABLE TO THE OLD TOWN 100  
BLOCK COMMERCIAL ZONE DISTRICT

**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**, the Town of Minturn 2021-2023 Strategic Plan (hereinafter the “Strategic Plan”) seeks to “foster the authentic small town character that is Minturn,” and to “Lead Minturn to long-term viability while preserving its unique character and genuine mountain town community,” through specific strategic plan goals and policies;

**WHEREAS**, the Strategic Plan contains four key strategies for implementation including “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,” and “Advance decisions/projects/initiatives that expand future opportunity and viability for Minturn;” and

**WHEREAS**, the Strategic Plan contains specific strategies in support of proposed amendments to Chapter 16, Zoning, Appendix B, Design Standards, such as “Sustain and Invest in the Things That Define Minturn as a Proud, Sturdy Mountain Town to ‘Keep Minturn Minturn,’” “Implement methods to recognize historic structures,” “Enforce ordinances aimed at maintaining the health, safety, welfare and aesthetic of the town – snow, trash, nuisance abatement and zoning/land use,” and

**WHEREAS**, the Town is experiencing development pressure in several zoning districts and neighborhoods, particularly in the “100 Block Commercial Zone District” (hereinafter the “100 Block”) and desires to address and update applicable zoning, land use, development and design regulations standards for the 100 Block; and

**WHEREAS**, in 2021, the Town commenced an update to the 2009 Community Plan (hereinafter “the Community Plan Update Project”); and

**WHEREAS**, a key objective of the Community Plan Update Project has been to review and update the Town’s zoning, land use, development and design regulations and standards, inclusive of certain chapters and sections of “Appendix B,” Town of Minturn Design Guidelines and Standards; and

**WHEREAS**, the Town has prioritized the updating of zoning, land use, development and design regulations and standards specific to the 100-Block;

**WHEREAS**, Town Council has directed staff to draft text amendments to Minturn Municipal Code Chapter 16, the Town Land Use Regulations, in accordance with the Town’s strategic plan and the Community Plan; and

**WHEREAS**, on June 22, 2022 the Minturn Planning Commission recommended approval of this ordinance; and

**WHEREAS**, the Minturn Planning Commission and Town Council have determined that the text amendments to the Land Use Regulations Chapter 16 as provided herein are necessary and proper.

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. Chapter 16 of the Minturn Municipal Code is hereby amended read as follows, with additions shown in double underlined text and ~~strike through language~~ is deleted. Sections of Chapter 16 which are not expressly described in this Ordinance are deemed to continue to be in full effect without change.

**ARTICLE 2 - Definitions, Illustrations and Lot Standards**

\* \* \*

**Sec. 16-2-20. - Definitions.**

*Building height or height of building* means the maximum vertical (plumb) distance measured at any point along the perimeter of the structure from the finished or natural grade (whichever is more restrictive) and a point on the roof depending on the roof type. No portion of any structure shall exceed the applicable building height limitation contained in this Code. (See Illustration No. 16-2.)

Height measurement points specified for the following types of roofs:

*Flat roof:* Height shall be measured to the highest point of the building, including parapet walls and rooftop appurtenances, but excluding architectural features and chimneys which may be permitted by Planning Director.

~~*Gable, hip, gambrel or shed roof:* Height shall be measured to the mean height level between the highest ridge or wall and its highest associated eave, provided, however, that if any parapet wall equals or exceeds the height of the highest ridge, then vertical distance shall be measured to the highest point of the parapet. Mansard roof height shall be measured to the decline of the roof.~~

See also [Section 16-3-30](#).

Pitched roof means a gable, hip, gambrel or shed roof where height shall be measured to the mean height level between the highest ridge or wall and its highest associated eave, provided, however, that if any parapet wall equals or exceeds the height of the highest ridge, then vertical distance shall be measured to the highest point of the parapet.  
Mansard roof height shall be measured to the decline of the roof.

Constrained lot means a lot that has a dimension (in any direction) that is 25 feet or less.

Half stories means habitable space that is located within the pitched roof portion of a structure or where the majority of the habitable space is below-grade. Habitable space within a half story shall have a minimum floor to ceiling height of 5 feet at the lowest point. See Sec. 16-2-65.

Incentive floor means an additional floor of development that is allowed only when additional requirements for the development are met. See Sec. 16-2-65.

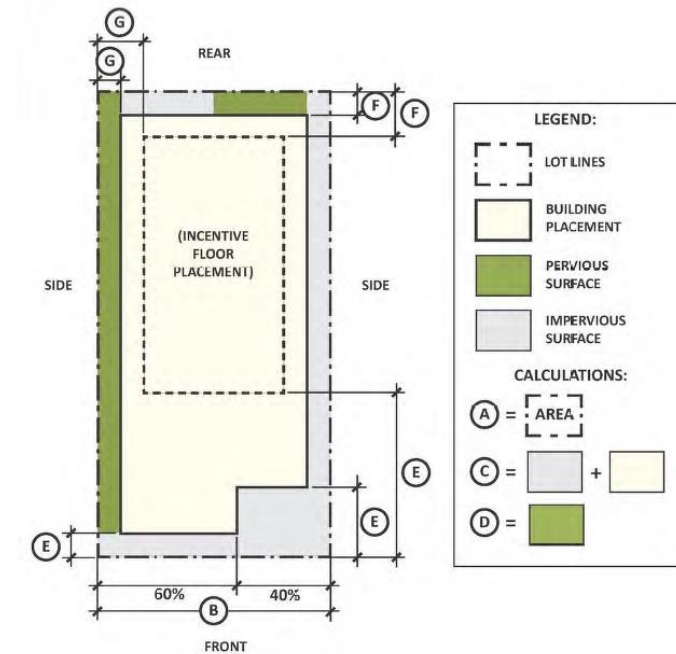
Parking In lieu fee means a fee that is paid by a developer to the Town of Minturn in exchange for a reduced parking requirement. See Sec. 16-16-150.

Publicly accessible means a space such as a plaza or sidewalk on private property that is directly accessible from a public right-of-way and use by the general public is allowed.

\* \* \*

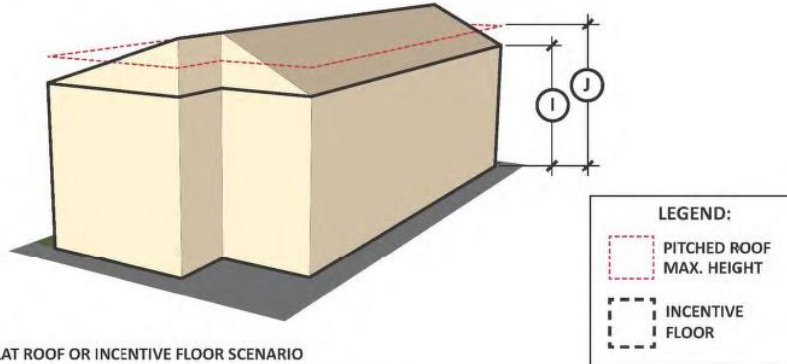
**Sec. 16-2-30. – Illustrations.**

**Illustration No. 16-6**

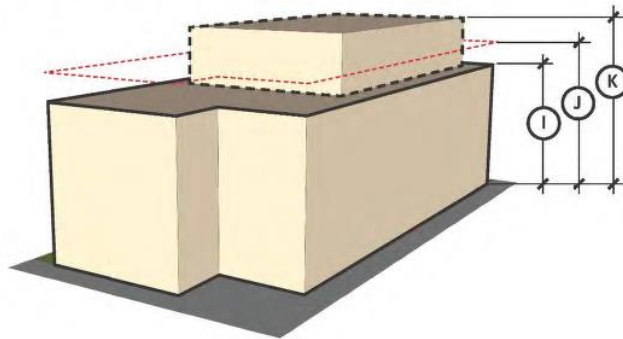


**Illustration No. 16-7**

PITCHED ROOF SCENARIO



FLAT ROOF OR INCENTIVE FLOOR SCENARIO



\*\*\*

**Sec. 16-2-40. – General lot requirements and dimensional standards.**

Table 16-A  
Dimensional Standards

		<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F</u>	<u>G</u>	<u>H</u>
		<b><u>LOT REQUIREMENTS</u></b>				<b><u>SETBACKS</u></b>			Live Stream Setback (ft)
Character Area	Zones	Min. Lot Area / Max. Lot Area (sq. ft.)	Min. Lot / Max. Lot Dimension (feet)	Maximum Building Lot Coverage (%)	Maximum Impervious Surface Area (%)	Minimum Setbacks (ft) ^Incentive floor Setbacks (ft)			
						Front	Rear	Side	
Meadow Mountain	Fed. reg. land use	N/A	N/A	N/A		Rec. 50	N/A	N/A	Rec. 30
Grouse Creek	Commercial	5,000	50	70	80	20	10	10	Eagle River=30 Grouse Creek=30

Old Town	Recreation & open space	To be determined as part of conditional review							30
	Residential	5,000	50	45	55	10	10	5	
	100 Block Commercial: A	2,500 / 7,500	25 / 75	80%	90%	<del>10</del> 5 min. 15 min. 40% lot frontage 20 max. ^25	<del>10</del> 5 ^15	5 (0 for constrained lots) ^10	
	100 Block: B					5 ^20	<del>10</del> 0 ^0	5 (0 for constrained lots) ^5	

\* \* \*

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

(m) For structures two (2) or three (3) stories in height, a maximum roof length of sixty (60) feet in one (1) direction is allowed. After sixty (60) feet, the roof height needs to be lowered by a minimum of nine (9) feet for a minimum run of twenty (20) feet in length or change directions a minimum of ninety (90) degrees for a minimum length of twenty (20) feet.

(nn) Sheds.

- (1) To constitute a shed that does not require a building permit, the structure shall be no larger than one hundred twenty (120) square feet in ground floor area and no higher than twelve (12) feet. Sheds in excess of one hundred twenty (120) square feet of ground floor area or twelve (12) feet in height require a building permit.
- (2) Sheds must be located in the rear or side yards, but such structures may not encroach into the side yard setbacks. A shed may encroach in the rear yard setback so long as it is a minimum of five (5) feet from all lot lines.
- (3) Sheds in all character areas and zones require a limited use review permit approved by the Planning Director. The denial of a limited use review permit by the Planning Director may be appealed to the Planning and Zoning Commission.
- (4) Sheds count toward the maximum impervious surface lot requirements.

(on) Greenhouses.

- (1) In all zones, a permanent greenhouse (which is not fully deconstructed and removed prior to winter) which exceeds one hundred twenty (120) square feet in the ground floor area or exceeds twelve (12) feet in height must receive a limited use review permit

approved by the Planning Director and obtain a building permit. The denial of a limited use review permit by the Planning Director may be appealed to the Planning and Zoning Commission.

- (2) Permanent greenhouses shall be counted toward maximum impervious lot coverage requirements.
- (3) Non-permanent greenhouses (which are fully deconstructed and removed prior to winter every year) do not count toward maximum impervious lot coverage requirements.

(p) Any residential structure constructed in a commercial zone district must comply with the applicable residential maximum building lot coverage limitation, the residential maximum impervious structure limitation, the residential building height limitation and residential setback requirements.

\* \* \*

**Sec. 16-2-60. – Building height limitations for all zone districts except 100 Block Commercial Zones.**

\* \* \*

**Sec. 16-2-65. – 100 Block Commercial Zones building height limitations.**

- (a) ~~In the 100 Block Commercial Zone, commercial buildings not fronting or adjacent to Highway 24 can have a maximum building height of thirty five (35) feet with a maximum angle of forty five (45) degree bulk plane from the street front setback or a maximum of twenty eight (28) feet for a flat roof.~~
- (b) ~~All buildings in the 100 Block Commercial Zone fronting or adjacent to Highway 24 located between Eagle Street and Williams Street can have a maximum building height of twenty eight (28) feet with a maximum angle of forty five (45) degree bulk plane from the street front setback or a maximum of twenty eight (28) feet for a flat roof.~~
- (c) ~~Slope of roof shall be a minimum of 4:12.~~
- (d) ~~Residential construction in the 100 Block Commercial Zone must follow residential building height limitations.~~

~~(See also Illustration No. 16-2 and Appendix B, Design Standards and Guidelines) The following Table 16-B contains the regulations for building height.~~

- (a) New buildings in the 100 Block shall be allowed a maximum height as shown in Table 16-C.
- (b) An incentive floor is allowed, following dimensional requirements listed in Tables 16-A and 16-C, and based on the provision of the following on-site improvements associated with the development:

i. An enhanced streetscape that provides a minimum of (1) street tree per 30 linear feet; (1) bench/seating area per 30 linear feet; and (1) bike rack accessible from a public right-of-way or passage; plus one of the following:

(1) A publicly accessible plaza or outdoor dining space (area shall be a minimum of 15% of total area of lot) that is visible from a public right-of-way.

(2) A publicly accessible passage (min. 4-foot wide pathway) is provided between Main Street and Williams Street or Main Street and Eagle River Drive. A min. 8-foot side setback shall be required to accommodate this space. Public passages shall be a minimum of 150 feet apart, i.e. if one is already provided 100-feet away, this option shall not be used.

(3) Additional parking (min. 5 spaces extra) on-site for public use or that may be shared with other uses on the 100 Block. See Sec. 16-16-150.

**Table 16-C**

	<u>I</u>	<u>J</u>	<u>K</u>
	<u>100 Block Building Height Limitations</u>		
	<u>Max. height / stories (flat roof)</u>	<u>Max. height / stories (pitched roof)</u>	<u>Incentive floor max. height / stories (any roof)</u>
<u>100 Block: A</u>	<u>28' / 2 stories</u>	<u>32' / 2.5 stories</u>	<u>36' / 3 stories</u>
<u>100 Block: B</u>	<u>35' / 3 stories</u>	<u>35' / 3.5 stories</u>	<u>35' / 4 stories</u>

\* \* \*

**Sec. 16-2-70. -- Specific front, side and rear yard setbacks requirements for 100 Block Commercial Zone.**

- ~~(a) No parking spots allowed in the front or side setback on Highway 24 in the 100 Block Commercial Zone.~~
- ~~(b) No asphalt.~~
- ~~(c) Landscaping to include native trees, plants, tables, chairs, benches, decorative hardscape and planters for flowers.~~
- ~~(d) Pedestrian lights to be hung on building for pedestrian lighting. Meet dark sky requirements in Code Section 16-17-180, Exterior Illumination Standards.~~
- ~~(e) Must include irrigation.~~
- ~~(f) Must have exterior power outlets.~~
- ~~(g) All setbacks shall contain an area equal to five (5) percent of the total setback area for temporary snow storage (until snow can be removed off site).~~
- ~~(h) Ten (10) percent of each setback area must be landscaped area.~~



- ~~(i) Properties fronting Williams Street are encouraged to create an attractive, pedestrian friendly streetscape.~~
- ~~(j) Dumpsters, trash, and storage areas shall be properly screened.~~

~~(Ord. 5-2016 §2)~~

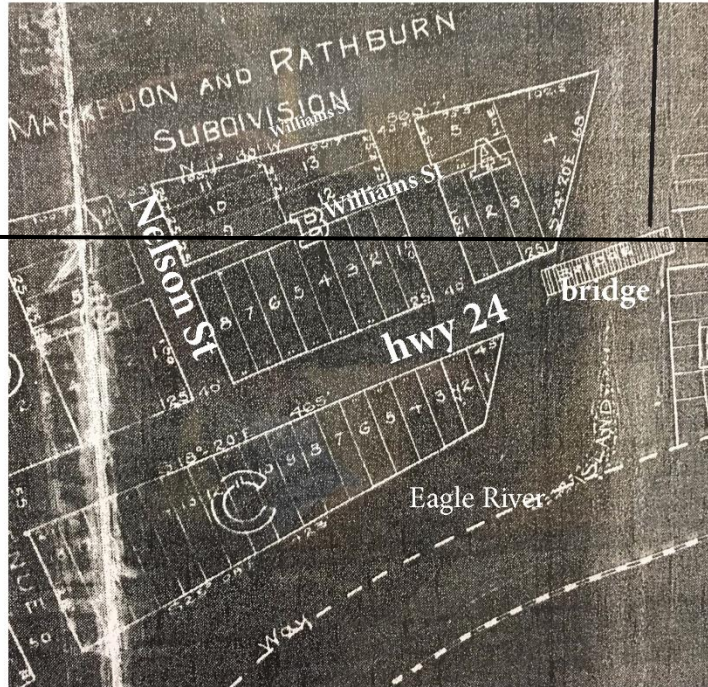
~~\* \* \*~~

**~~Sec. 16-2-80. -- Block and building site patterns and side yard setbacks for 100 Block Commercial Zone.~~**

- ~~(a) Vacations of or building across originally platted lot lines shall not result in a building greater than seventy five (75) feet in width along Highway 24, Williams Street or Eagle Street.~~
- ~~(b) Building facades along Highway 24, Williams Street and Eagle Street shall not create the appearance of a single building that is wider than fifty (50) feet. Building facades must maintain the historic platted character of this area with building widths of twenty five (25) feet to fifty (50) feet.~~
- ~~(c) Maximum lot area (square feet): seven thousand five hundred (7,500).~~
- ~~(d) Minimum side yard setback is five (5) feet per twenty five (25) foot wide platted lot. For buildings fronting or adjacent to Highway 24 located between Eagle Street and Williams Street, the Planning Commission may require that the side yard setbacks be combined for the purpose of creating a ten (10) to fifteen (15) foot side yard corridor between two (2) buildings.~~
- ~~(e) Corner lots: ten (10) foot front yard setback facing Highway 24; five (5) foot setback on side facing any new or existing street connecting to Highway 24.~~

**Historic Plat of 100 Block**

Historically - Highway 24 came straight into Town over bridge

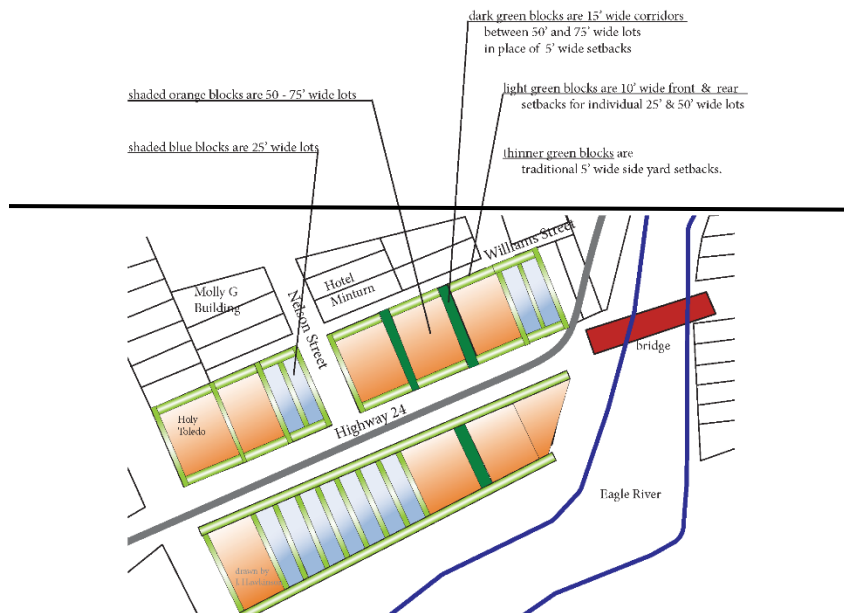


**Diagram Example of:**

**100 Block Commercial Zones: Setbacks & Mass & Scale**

**Design to encourage:**

- 15' wide corridors are encouraged for walkways to create a pedestrian friendly commercial 100 block
- corridors can be utilized for tables, landscaping - trees & flower pots, and market space
- encourage street fronts on buildings between William Street and Highway 24
- landscape for beautification - storm water management - shade
- 10' front & rear setbacks for landscaping, patios, flowers, trees, seating, snow storage
- reflect the historic & present cadence of original plat of downtown Minturn



\* \* \*

**ARTICLE 6 - Old Town Character Area**

\* \* \*

**Sec. 16-6-35. - 100 Block Commercial Zones.**

- (a) The 100 Block ~~Commercial Zones~~ is characterized by a compact retail/commercial core area bisected by Highway 24. The area consists of businesses and residences with an identity of the historic commercial core that is distinct from other parts of the community.
- (b) The purpose of this area is to provide convenient commercial services to residents and visitors and to promote the development of the Town's primary retail commercial district. Accommodation of sales tax-generating commercial uses and non-street level residential units can enhance Old Town vitality while maintaining the visual character and scale. Street level space within the 100 Block ~~Commercial Zones~~ shall be dedicated to retail uses. Non-street level space within the 100 Block ~~Commercial Zones~~ may be used for compatible retail, office, and residential uses.
- (c) The 100 Block ~~Commercial Zones~~ should function as a pedestrian shopping corridor. Buildings ~~should be~~ shall oriented toward sidewalks and pedestrian areas with storefront windows and main entrance doors. The scale of buildings both in terms of height and width should encourage transparency, pedestrian engagement, and facilitate pedestrian movement not only along Highway 24 but also between Highway 24, Williams Street and Eagle Street.
- (d) The small town historic main street character will be maintained by keeping in scale of with the original plat of twenty-five (25) foot by one hundred (100) foot lots and one (1) to two (2) story building heights frontages along Highway 24. Large monolithic buildings and "strip" retail areas are ~~discouraged~~ not allowed. New development in the 100 Block shall follow the standards and guidelines provided in Appendix B which seeks to ensure new structures maintain compatibility with historic structures while bringing new uses to increase vitality.

\* \* \*

**Sec. 16-6-70. – Old Town Character Area use table.**

Use	All Residential Zones	Commercial Zones	100 Block <del>Commercial Zone</del> <u>A</u>	<u>100 Block</u> <u>B</u>	All Mixed-Use Zones	All Recreation & Open Space Zones	All Federally Regulated Zones	Light Industry and Public Facilities Zone	PUD Holding Zone	Railroad Right-of-Way/Transportation Zone
R – Use by right    C – Conditional use    L – Limited use    N – Not allowed										
Accessory apartments (street level)	L	C	N	<u>C</u>	L	N	-	-	-	-
Accessory apartments	L	C	<u>CR</u>	<u>R</u>	L	N	-	-	-	-

(second floor or above)										
Accessory dwellings (street level)	L	C	N	<u>C</u>	L	N	-	-	-	-
Accessory dwellings (second floor or above)	L	C	<u>CR</u>	<u>R</u>	L	N	-	-	-	-
Automotive detail shops	N	C	N	<u>N</u>	C	N	-	-	-	-
Automotive parts sales	N	C	N	<u>N</u>	C	N	-	-	-	-
Bakeries and confectioneries	N	R	R	<u>R</u>	R	N	-	-	-	-
Banks and financial institutions	N	R	N	<u>N</u>	R	N	-	-	-	-
Barbershops	N	R	R	<u>R</u>	R	N	-	-	-	-
Beauty Shops	N	R	R	<u>R</u>	R	N	-	-	-	-
Business and office services	N	R	<u>NC</u>	<u>C</u>	R	N	-	-	-	-
Car washes	N	N	N	<u>N</u>	C	N	-	-	-	-
Cocktail lounges, taverns	N	R	R	<u>R</u>	C	N	-	-	-	-
Club (street level)	N	N	N	<u>N</u>	N	N	-	-	-	-
Club (second floor or above)	N	C	N	<u>N</u>	C	N	-	-	-	-
Commercial accommodations	N	R	R	<u>R</u>	C	N	-	-	-	-
Convenience stores	N	C	N	<u>N</u>	C	N	-	-	-	-
Delicatessens and specialty food stores	N	R	R	<u>R</u>	C	N	-	-	-	-

Drive-thru/up establishments	N	C	N	<u>N</u>	N	N	-	-	-	-
Drugstores and pharmacies	N	R	R	<u>R</u>	R	N	-	-	-	-
Dry cleaners	N	R	N	<u>N</u>	N	N	-	-	-	-
Duplexes (street level)	N	C	N	<u>N</u>	C	N	-	-	-	-
Duplexes (second floor or above)	N	C	<u>CR</u>	<u>R</u>	C	N	-	-	-	-
Garden landscaping supply and seed stores	N	R	N	<u>N</u>	R	N	-	-	-	-
Gas stations	N	N	N	<u>N</u>	C	N	-	-	-	-
Grocery stores	N	R	C	<u>C</u>	C	N	-	-	-	-
Health/medical offices (street level)	N	C	N	<u>N</u>	C	N	-	-	-	-
Health/medical offices (second floor or above)	N	R	R	<u>R</u>	C	N	-	-	-	-
Institutional uses (street level)	N	N	N	<u>N</u>	N	N	-	-	-	-
Institutional uses (second floor or above)	N	C	N	<u>N</u>	C	N	-	-	-	-
Laundries	N	C	N	<u>N</u>	C	N	-	-	-	-
Laundromats	N	R	N	<u>N</u>	C	N	-	-	-	-
Liquor stores	N	R	R	<u>R</u>	C	N	-	-	-	-
Manufacturing, light	N	C	C	<u>C</u>	N	N	-	-	-	-
Multi-family dwellings (street level)	N	C	N	<u>C</u>	C	N	-	-	-	-

Multi-family dwellings (second floor or above)	N	C	<u>CR</u>	<u>R</u>	C	N	-	-	-	-
Pawn shops	N	R	C	<u>C</u>	C	N	-	-	-	-
Photographic studios	N	R	C	<u>C</u>	R	N	-	-	-	-
Professional activities (street level)	N	R	N	<u>C</u>	C	N	-	-	-	-
Professional activities (second floor or above)	N	R	R	<u>R</u>	R	N	-	-	-	-
Professional offices, business offices and studios (street level)	N	C	N	<u>C</u>	R	N	-	-	-	-
Professional offices, business offices and studios (second floor or above)	N	R	R	<u>R</u>	R	N	-	-	-	-
Radio and television stores and repair shops	N	R	R	<u>R</u>	R	N	-	-	-	-
Restaurant	N	R	R	<u>R</u>	C	N	-	-	-	-
Single-family residential dwellings	R	C	N	<u>N</u>	R	N	-	-	-	-
Retail stores including: Apparel stores; art supply stores and galleries; bookstores; camera stores and	N	R	R	<u>R</u>	R	N	-	-	-	-

photographic studios; candy stores; chinaware and glassware stores; florists; gift stores; hobby stores; household appliance stores; jewelry stores; leather goods stores; luggage stores; music and record stores; newsstands and tobacco stores; sporting goods stores; stationery stores; toy stores; variety stores; yardage and dry goods stores										
Small appliance repair shops, excluding furniture repair	N	R	C	<u>C</u>	R	N	-	-	-	-
Tailors and dressmakers (street level)	N	R	N	<u>N</u>	R	N	-	-	-	-
Tailors and dressmakers (second level floor or above)	N	R	R	<u>R</u>	R	N	-	-	-	-
Theaters	N	R	N	<u>N</u>	C	N	-	-	-	-
Theaters, meeting rooms and convention centers ( <u>street level</u> )	N	N	N	<u>N</u>	N	N	-	-	-	-
Theaters, meeting rooms and convention	N	C	N	<u>N</u>	C	N	-	-	-	-

centers (second floor or above)										
Travel and ticket agencies	N	R	N	<u>N</u>	R	N	-	-	-	-

\* \* \*

**ARTICLE 16 - Off-street parking and loading**

\* \* \*

**Sec. 16-16-150. – 100 Block Incentive-Based Parking Program.**

In order to incentivize sales-tax producing uses and the reuse of existing structures, new development in the 100 Block Zones may opt to reduce parking standards by providing the following:

- (a) Development shall calculate the total number of spaces required by the code for the proposed program by using Table 16-10, 16-11, and 16-12. The resulting number of spaces = A.
- (b) Development shall calculate the total number of spaces required for the proposed program using the following incentive-based formula. The resulting number of spaces = B.
  - (i) All sales-tax generating uses (commercial, retail, restaurant, etc.) = no parking required.
  - (ii) All projects that reuse an existing structure (for the newly programmed use(s) included inside the structure) = no on-site parking required.
  - (iii) Offices and non sales-tax generating commercial uses = 1 space per 500 sq. ft.
  - (iv) Light industrial = 1 space per 1,000 SF
  - (v) Residential (up to 2-bedroom) = 1 space per unit
  - (vi) Lodging, hotel/motel, bed and breakfast = 0.5 spaces per rentable room
- (c) Conduct the following calculation:
  - (i) A (minus) B (minus) allowable on-street/off-site spaces (Sec. 16-16-60) = # of spaces required for in lieu fee. The resulting number of spaces = C.
- (d) Developer shall pay in lieu fee to the Town of Minturn at a rate of C (times) \$10,000.
- (e) Developer would be exempt from in lieu fee if the following is true:
  - (i) Development meets parking requirements from Tables 16-10, 16-11, and 16-12; and
  - (ii) Development allows the additional parking (C) on-site to be used for public or shared parking for other uses in the 100 Block.

\* \* \*

**APPENDIX B - Design Standards and Guidelines**

\* \* \*

**Chapter I, Section B - Goals, and Objectives, and Guiding Principles**



In order to preserve and enhance the built environment, and to further the character of the community, Minturn has adopted design standards and guidelines for development. The Minturn Community Plan contains the community's vision for the future, a future that is grounded in the character of the past. This character is based on a respect for both the history and environment of the region, a respect that is evident in the existing architectural styles and layout of the Town. The preservation and enhancement of landforms, vegetation, and wildlife habitat are consistent with these objectives.

These standards and guidelines are to be used as a supplement to the Town of Minturn Zoning Code. Review of compliance with these design standards and guidelines will occur for all new development, as well as major restoration and/or renovation of existing structures or developments within the Town boundaries.

New projects should be designed with the following guiding principles in mind:

1. Minturn is Rich with History – all designs should respect and reflect our rich history and help keep our stories alive for future generations.
2. Minturn is Close to Nature – every building in Minturn is steps from nature – we respect and appreciate our environment in all aspects of design.
3. Minturn is Colorful – Minturn is not dull – look around and you will see colorful buildings, roofs, people, and landscapes. New designs should reflect our diversity by implementing a colorful, not dull, palette.
4. Minturn is Authentic – we have never tried to be like other communities – we are uniquely and proudly the one and only “Minturn.” New designs should contribute to our meaning and authenticity.

\* \* \*

### **Chapter III - Character Areas**

\* \* \*

### **Section 4 - 100 Block ~~Commercial~~ Zones**

**[This section replaced and amended in its entirety with Exhibit A – see exhibit ‘A’ attached hereto]**

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 6<sup>th</sup> DAY OF JULY 2022. 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 3<sup>rd</sup> DAY OF AUGUST 2022 AT 5:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO

\_\_\_\_\_  
Earle Bidez, 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 WEBSITE THIS 3<sup>rd</sup> DAY OF AUGUST 2022.

TOWN OF MINTURN, COLORADO

\_\_\_\_\_  
Earle Bidez, Mayor

ATTEST:

By: \_\_\_\_\_  
Jay Brunvand, Town Clerk

# **Exhibit A**



# 100 BLOCK

## Design Standards and Guidelines

APPENDIX B INSERT



June 2022 (DRAFT)

# CONTENTS

This document is organized into three chapters, as described below.

## 1 100 Block Framework

This chapter provides a framework for the 100 Block, presenting a quick history, key elements and principles for all new development. It provides guidance for how a project should respond to its surroundings and accent 100 Block assets to work toward becoming a cohesive, historic commercial core.

## 2 Site Design

This chapter provides specific design standards and guidelines as they relate to an individual site. These include the design and treatment of setbacks and other open space on a site as well as parking, screening, landscaping, and lighting.

## 3 Building Design

This chapter provides specific design standards and guidelines as they relate to an individual building. These include the appropriate scaling of a building and architectural elements, activation of edges, materiality, and roof design.

## STRUCTURE OF DOCUMENT

The standards and guidelines herein are structured so that they can be easily followed and referenced. They are written as follows:

### XX.1 THIS IS A TOPIC OR PRINCIPLE.

A. This is a standard (rule).

» *This is a guideline (advice) or supplementary information.*

A **topic or principle** explains what the standards and guidelines are about. A **standard** is a rule that shall be met if it applies to a particular site. Standards provide clear expectations for all projects to follow. A **guideline** is advice for a project - it is intended to give ideas for how a standard may be applied.

# PURPOSE

This document replaces the former 100 Block Character Area from **Appendix B** of the Minturn Municipal Code. It seeks to provide guidance to property owners, developers, elected officials, and commissions so that the community's vision for the 100 Block can be realized over-time.

This document will be **used by the Planning Commission**, which serves as the design review body for the town, to review individual projects that are proposed in the 100 Block. All projects must also follow **Appendix B: General Design Standards, Chapter 16** sections of the municipal code that relate to the 100 Block were also updated at the same time so that dimensional standards and other zoning regulations match the standards and guidelines.

# PROCESS

The standards and guidelines were developed using input from the community. Two community **design charrettes** were held (October 2020 and February 2022), as well as **multiple meetings** with stakeholders, the Planning Commission, and Town Council. The community agreed on many aspects of the vision. There was disagreement on the appropriate scale of buildings and whether or not the area (or individual buildings) should be designated historic. Ultimately, this document and the code update seeks to **find a balance** between opposing views while **implementing the desired vision** to create a 100 Block that is allowed to evolve while requiring that new projects contribute to a **sustainable and vibrant future**.

- ▼ APPENDIX B - MINTURN DESIGN STANDARDS AND GUIDELINES
  - I. INTRODUCTION
  - II. GENERAL DESIGN STANDARDS
  - ▼ III. - CHARACTER AREAS
    - 1. - GROUSE CREEK CHARACTER AREA
    - 2. - OLD TOWN CHARACTER AREA
    - 3. - SOUTH TOWN CHARACTER AREA
    - 4. - 100 BLOCK COMMERCIAL ZONE



Design Guidelines  
100 Block Commercial Zone



## 'History meets Present'

*This document replaces the former Design Guidelines for the 100 Block Commercial Zone with cover page shown above. Principles from the former guidelines were carried over, as applicable.*



**MINTURN 100 BLOCK**  
Design Workshop | February 15, 2022

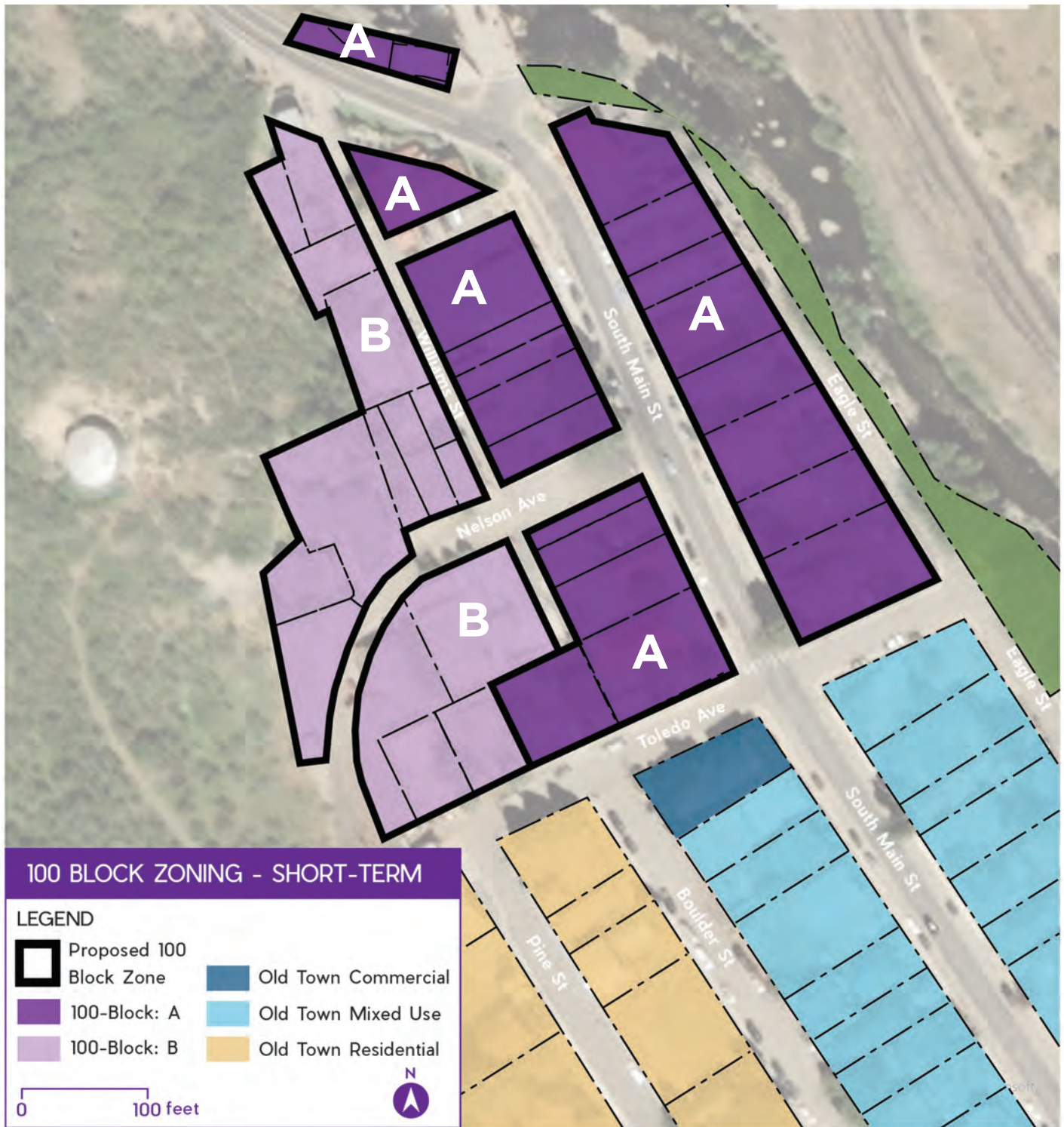


*A Public Design Workshop was held on February 15, 2022 to discuss key elements of new development including: building height and frontage, site design and public realm, and parking. There were approximately 40 attendees.*

# APPLICABILITY

The design standards and guidelines herein apply to all properties outlined in heavy black line below. The **new 100 Block Zone** includes an **A and B subareas**, which the standards and guidelines may reference if differences apply.

**100 Block: A** is essentially all properties that face Main Street and **100 Block: B** is all properties that face Williams Street and Nelson Avenue going up the hill.





## 100 BLOCK FRAMEWORK

# 1

The 100 Block is the **gateway to Minturn** and the heart of town. It is the **historic center and commercial core**, although over-time commercial uses have extended past the 100 Block along Main Street. The 100 Block should remain the commercial core into the future, where there is ample opportunity for small, local businesses to thrive as well as more opportunity for people to live and visit. It is important to the community that the historic assets be saved and the history and authenticity of Minturn be celebrated. **Main Street** will remain the primary thoroughfare, although public and private improvements will help activate and improve the experience. **Williams Street and Eagle River Street** will become quaint public spaces where pedestrians and cars share the space and active uses breathe new life to these areas. Space between buildings will be used for **pedestrian passages, small gathering spaces and outdoor dining areas**. **Views** of the water tower, Eagle River, and hillsides will be preserved and celebrated.



# QUICK HISTORY

Minturn was established in the late 1800s as a railroad town and incorporated in 1904. It originated on **mining, farming, and railroad** industries and jobs. It has maintained a feeling of a **quaint mountain village** amongst great change in Eagle County and surrounding areas with Vail and Beaver Creek resorts developing in the late 1960s to 1980s. Though tourism has picked up in recent years, Minturn remains a **local's place**.

Today, Minturn is still primarily a **working class town** with nearly 40 percent of employment in construction and related trades. Minturn has remained a local, authentic place over the years. It is entirely made up of **small, local businesses**, started from people that have invested their personal time and money to help Minturn prosper. It faces challenges related to growth and affordability as land values have escalated at high rates in recent years, as they have all over Colorado.



*A two-story building with wood siding, sidewalks, and covered arcade includes a storefront and area where people can gather as they watch a carriage being pulled from a ditch on Main Street.*



*The two-and-a-half story Eagle River Hotel includes a simple architectural form with a gabled roof and dormer. A porch on the front defines the entrance.*



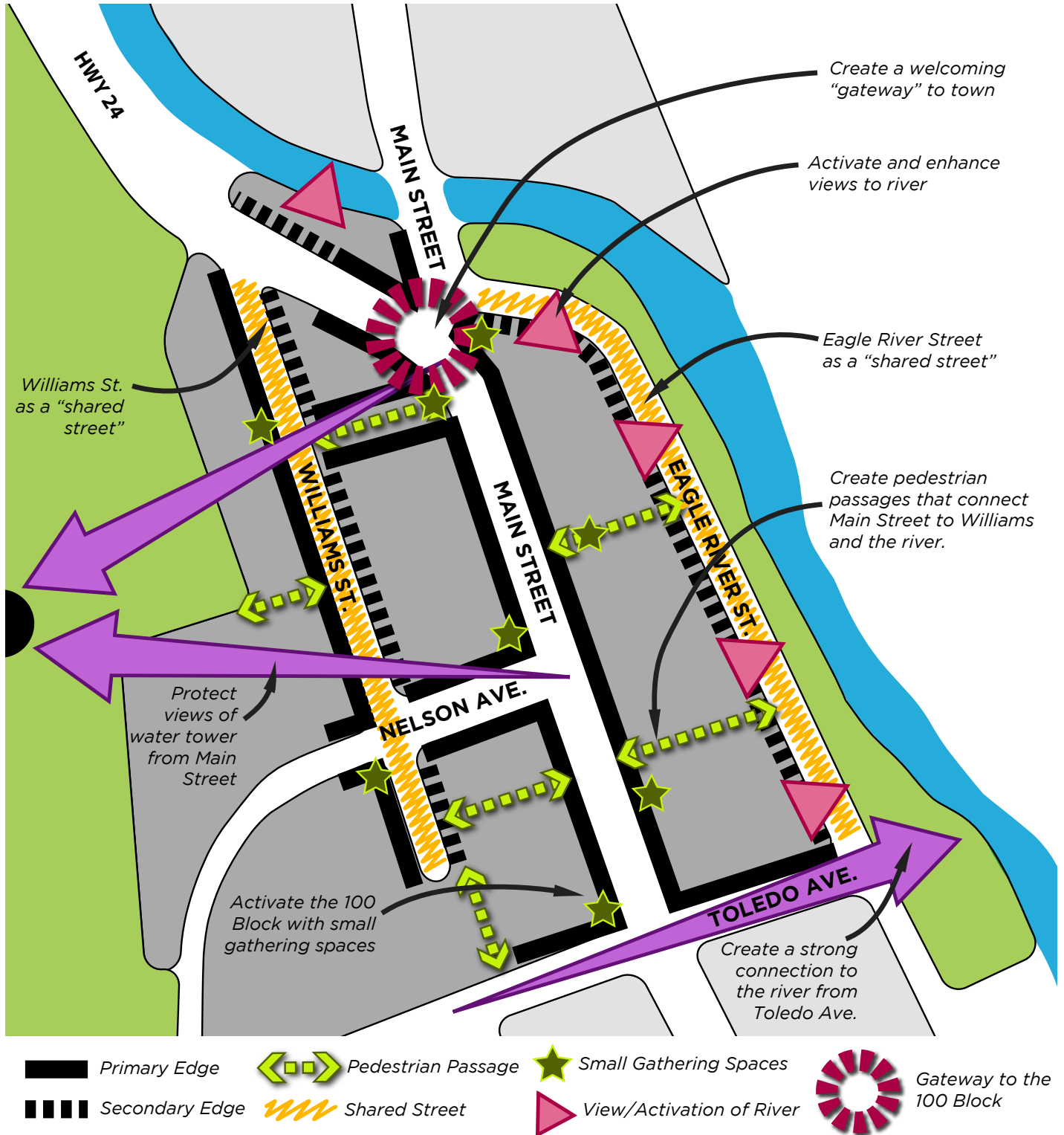
*The Williams Cafe and Bar (now Magustos) is a wood and stucco structure that includes an arcade and storefront.*



*Main Street circa 19?? includes 2-story buildings at the sidewalk edge (zero setback) with narrow sidewalks.*

# 100 BLOCK FRAMEWORK

This framework diagram explains key elements for the 100 Block that all projects should follow. Design principles that relate to the 100 Block Framework are provided on the following page.



100 Block Framework Diagram

# FRAMEWORK PRINCIPLES

The following principles describe elements that will help implement the vision for the 100 Block. Each project should meet the following by providing a response to each principle in a project narrative

## FP.1 CONTRIBUTE TO AN AUTHENTIC PLACE.

Minturn is known for being **authentic**. It's authenticity has been built over time, where layers of history are reflected in its people, places, and architecture. **What makes 100 Block authentic?**

- **It doesn't have a prescribed style of architecture** - each building seems to have it's own personality.
- **It has a rich history, but also has been built over time**, where buildings from different eras coexist and some have been added onto or modified to respond to new demands and uses.
- **It is made up of local businesses** - they are something you can only find in Minturn.
- **It is not another tourist mountain town** - though people love to visit, Minturn was not built *around* tourism. Design for locals first.

Each new project in Minturn's 100 Block should consider these aspects that make up its authenticity and contribute to it in similar ways, through unique architecture, a nod to history, and as a local's place first and foremost.

## FP.2 DESIGN AT A HUMAN SCALE.

The 100 Block is **quaint**. Though new buildings may be larger than traditional buildings, their **scale should be compatible** to their surroundings. A new building should blend in, rather than stick out.

Designing at a human scale means designing a building that is **comfortable** for someone to stand by and be in. It is made with materials that are small and modular - that can be carried by a person. They include details that add interest and delight to the human experience. They are designed to be experienced by pedestrians rather than cars.

Design new projects in the 100 Block with these elements in mind where each individual project contributes to a scale that is compatible and comfortable.



*Designing at a human scale means designing a building that is comfortable for someone to stand by and be in.*



*Minturn's local businesses is one thing that contributes to its authenticity (and awesomeness.)*



*Human scale design is designed to be experienced by pedestrians rather than cars.*

### FP.3 ACTIVATE EDGES.

The vision of the 100 Block is to continue to be the commercial core and activity center of Minturn with active storefronts and sales tax-generating uses throughout. To create this desired activity, include **active uses**, e.g. businesses that are open the majority of the day and create activity on the street from people coming and going. This includes but is not limited to: coffee shops, cafes, restaurants/bars, retail stores, and ice cream/candy shops.

**Primary edges** (Main Street, Williams Street, and side streets) shall require active uses on the ground floor.

**Secondary edges** (east side of Williams and west side of Eagle River Street) should encourage active uses, but may also require access to parking or other back of house uses. Activation of these edges may include enhanced screening, landscaping, or public art - however, if possible, secondary entrances and active uses are also encouraged.



*Active storefronts and tax-generating uses that engage the streets and sidewalks are desired.*

### FP.4 CELEBRATE AND ENHANCE IMPORTANT VIEWS

The **water tower** is iconic to Minturn. Views to the water tower from key intersections should be celebrated. A project at these locations should consider someone taking a picture - where the water tower is visible and part of the composition.

Views of the **Eagle River** are also important. Minturn would like to elevate the river as a key asset, so improving access and views to the river is a key component to achieving the vision.

**Secondary uses** to Main Street could be placed along Eagle River Street to activate it or **upper floor roof decks** could overlook the river. **Eagle River Street** should be a unique, quaint experience that encourages pedestrians to enjoy time walking along or resting at the edge of the river.



*Views to the water tower from key intersections should be maintained.*

## FP.5 CREATE A WELCOMING PLACE.

The 100 Block is the “gateway” to Minturn and therefore, should appear **welcoming**. This means that activities should orient to Main Street, the public realm should be **well-designed and maintained** year-round, and the experience of navigating to destinations (businesses, parks, parking, etc.) should be very clear.

Projects located at the main intersection, or “gateway,” shall contribute to **provoking a sense of arrival** and an iconic and unique sense of “Minturn.” The public realm should be coordinated and consistent in design. And architecture should be unique to Minturn and of highest quality and attention to detail.

Throughout the 100 Block, each individual project should create **welcoming and inviting places**. This can be achieved by creating interactive places such as: small plazas, pocket parks, outdoor dining and retail, and public passages. These design elements tell people that they are welcome to navigate through the 100 Block with ease and delight.

Note that locations of passages and gathering spaces on the diagram are not exact, but indicate the general amount of these elements needed to create a successful network.



*Caption here...*



*Create interactive places.*



*The Minturn Anglers building serves as an iconic “gateway” building.*



*Create welcome and inviting places.*



## SITE DESIGN

# 2

Site design refers to the arrangement and placement of buildings as well as other site features on a particular lot - such as landscape/hardscape, parking, trash, and snow. The goal is to improve the overall experience and appeal of the 100 Block by having well-organized and inviting spaces as well as clear rules to maintain them.

# SITE DESIGN: DEFINING FEATURES

The original and current layout of the 100 Block, as seen to the right, shows that much of the original structure of the 100 Block remains. It appears that Eagle River Street may have been put in at a later date and Highway 24 cut through south of the Eagle River heading west. The following are defining site features to consider in new designs:

## 25' LOT PATTERN

The original plat includes a series of lots that orient to Main Street with a 25-foot wide frontage. This allowed for multiple businesses to have visibility and access to customers and created a cadence along the street that changed properties (and therefore buildings) every 25-feet.

## LINEAR NORTH-SOUTH ARRANGEMENT ALONG MAIN STREET

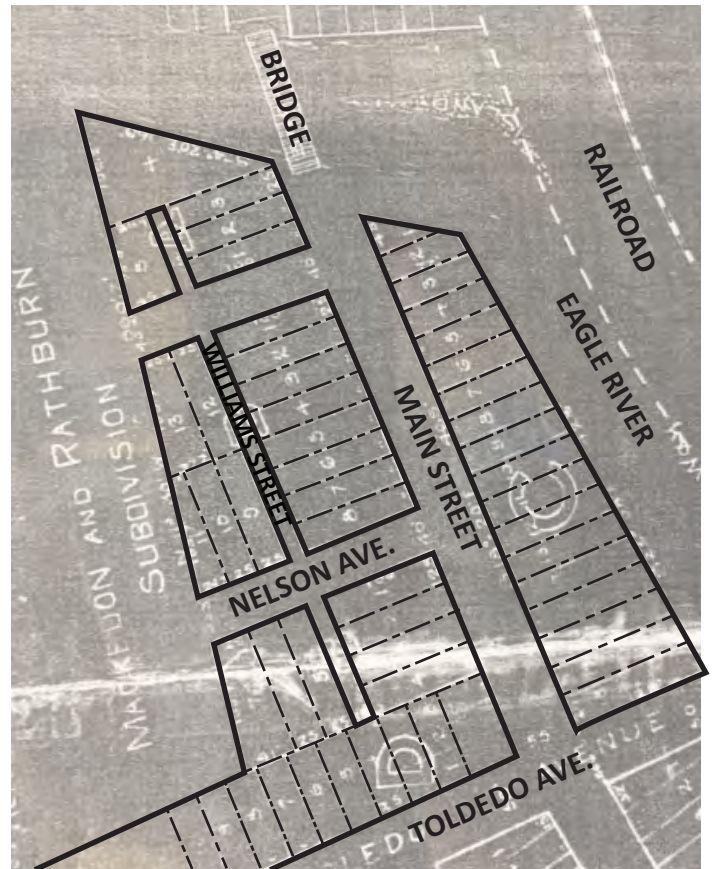
Due to surrounding topography, the arrangement of the 100 Block has remained linear in nature where the focus has always been on Main Street, and other roads are mainly used for access.

## EAGLE RIVER AND RAILROAD

The river and railroad are consistent site features of the 100 Block that appear to be in their original alignment and location. Toledo Avenue has always terminated at the river's edge and the Bellm Bridge location is identical. Both elements contribute to the rich history of Minturn.

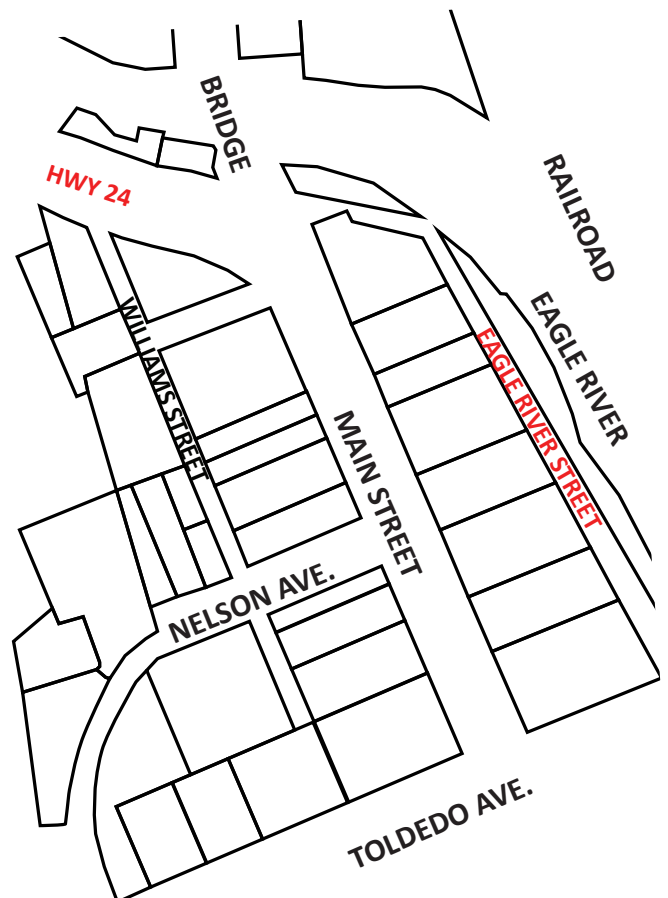
## WATER TOWER

The Minturn water tower is situated above the 100 Block on the hillside to the west. This site feature is iconic to Minturn, as it has the "Minturn" name and can be seen from just about anywhere in the 100 Block due to its position high on the hillside.



Above: historic platting of the 100 Block

Below: current lot layout of the 100 Block



# SITE DESIGN: STANDARDS AND GUIDELINES

## SD.1 STREET DESIGN

A. **Main Street and Toledo and Nelson Avenues** shall include a minimum **5-foot** public sidewalk adjacent to the curb. This space shall remain free and clear of objects at all times.

B. **Main Street and Toledo and Nelson Avenues** shall include a **5-foot** front setback adjacent to the sidewalk. The first **2-foot** of the setback shall contribute to widening the sidewalk to create a 7-foot clear walking path.

» *The additional 3-foot of setback may be used for objects such as: sandwich boards, planters, benches, sales racks or other outdoor display of goods, landscaping, cafe seating, etc.*

C. **Main Street** requires that **40%** of a property's frontage include a minimum **15-foot** setback. This area shall be accessible from a public sidewalk.

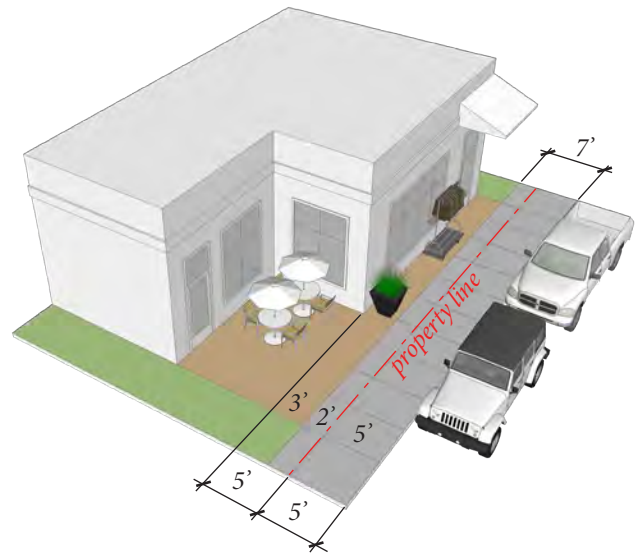
» *Design these spaces to be welcome and inviting. Consider ambient lighting, cafe seating, or other ways to activate the space.*

D. **Williams Street** shall include a **15-foot** clear public right-of-way (shared between vehicles and pedestrians) plus a minimum **5-foot** setback on either side for a total dimension of **25 feet** from building face to building face.

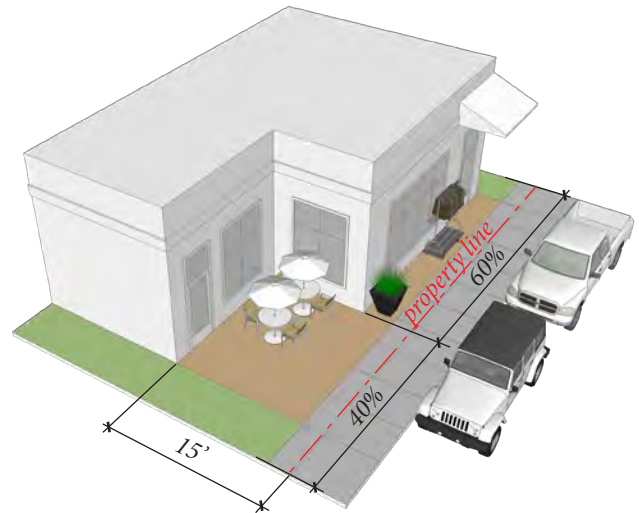
» *Consider changing the material of the setback area to differentiate it from the right-of-way.*

E. **Eagle River Street** shall include a **15-foot** clear public right-of-way (shared between vehicles and pedestrians) plus a minimum **5-foot** setback on the west side and 5-foot sidewalk on the east side for a total of **25 feet** from building face to back of sidewalk.

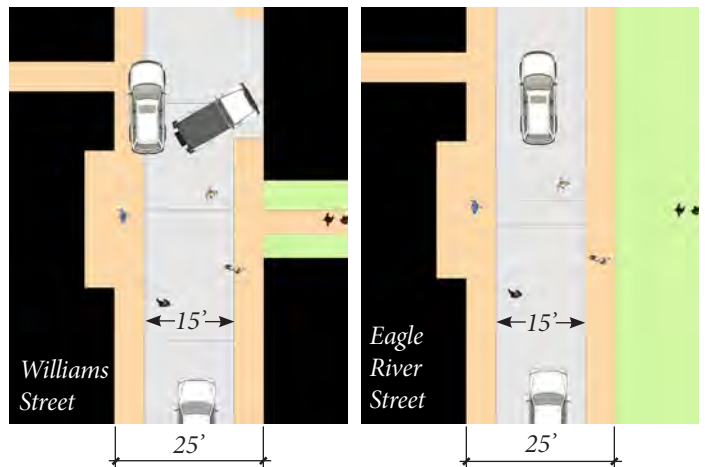
» *Consider changing the material of the setback area to differentiate it from the right-of-way.*



*Main Street and Toledo and Nelson Avenues shall maintain a 5-foot sidewalk adjacent to the curb and dedicate an additional 2-foot of setback to the sidewalk to create a 7-foot wide sidewalk.*



*Along Main Street, 40% of a property's frontage shall be setback a minimum of 15-feet from the property line.*



*Williams and Eagle River Streets shall include a 15-foot clear public right-of-way (shared between vehicles and pedestrians) with a minimum setback of 5-feet.*



## SD.2 ORIENTATION

- A. **Primary orientation**, meaning the “front(s)” of a building where the primary use(s) and entrance(s) are located shall be placed so that they face a primary edge (refer to Framework Diagram on page 9).
- B. **Secondary orientation** shall include entrances to secondary uses and upper floors and shall face secondary edges (refer to Framework Diagram on page 9).
- C. Where a public or semi-public space (plaza, park, sidewalk, street, etc.) is adjacent to a building, orient the building to **interact with and overlook** the outdoor space (i.e. include entrances and/or windows at eye-level.)
- D. Orient a building’s massing and design a site to **maximize sun exposure and minimize shading** on adjacent properties.
  - » *Defined setbacks in Chapter 16 are designed to maximize sun exposure, but to the extent that a project can modify a design to create more sun access, it is desired.*
  - » *Utilize architectural features and/or landscaping to assist with seasonal sun control. For example, in the winter when the sun is lower it is important to allow sun deep into the building whereas in the summer when the sun is high, it is important to offer shading, such as through overhangs, awnings, deciduous trees, or other shading device.*



Where a public or semi-public space is adjacent to a building, orient the building to interact with and overlook the outdoor space.

## SD.3 PUBLICLY ACCESSIBLE AND PRIVATE OPEN SPACE

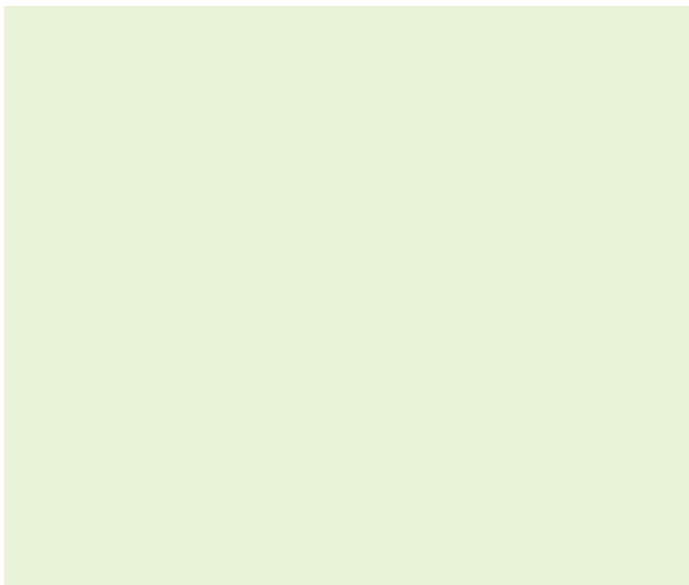
- A. Required **publicly accessible open spaces** shall be **visible from and designed to activate** the adjacent right-of-way. If a new development is **adjacent to a low-scale traditional building**, the open space shall be placed toward that side of the property.
  - » *Design these spaces to generate activity. Add elements like: places to sit, public art, dining area, lighting, and signage.*
  - » *If an enclosure is required for a dining space that serves alcohol, design the enclosure to be as open and transparent as possible.*
  - » *Consider the use of special paving to accent this space and differentiate it from the public sidewalk.*
  - » *Locate these spaces to maximize sun exposure.*
- B. A **publicly accessible passage** through a site shall include a minimum **4-foot** wide sidewalk. A minimum **8-foot** setback shall be required for the entire space. Provide **full cut-off light fixtures** to light the pathway.
  - » *The entire space may be paved so long as the site’s pervious surface requirement has been met elsewhere.*
  - » *Pavers or other material may be approved by the design review commission.*
- C. **Private open space**, such as a patio, balcony, or roof terrace shall be a minimum of **5-foot** deep and **6-foot** wide.



Locate open spaces to maximize sun exposure and design them to be activated.

## SD.4 PARKING

- A. Parking **shall not be accessed from Main Street** and shall be set back a minimum of **25 feet** from Main Street. Parking shall be accessed from Nelson, Toledo, Williams, or Eagle River Street.
- B. If surface parking is located adjacent to a public street or publicly accessible open space, the side facing the public space **shall be screened** from public view a minimum of **36"** from the ground.
  - » *Use or combine the following methods: Landcaping, site walls, decorative fencing, public art, or other method that meets the intent of screening*
- C. **90-degree, angled, and tandem parking** on Williams and/or Eagle River Streets shall be allowed, only if deemed appropriate by the Design Review Board.
  - » *Consider the amount of space available and use(s) of parking.*
- D. **Combine access** to two adjacent parking lots, wherever feasible to reduce the amount of driveways needed and to maximize parking counts.
- E. Design the **entrance** to any type of structured parking - podium, underground, or structured - to be clearly labeled with signage. If the structure includes a portion of public parking, a public parking sign shall be used and public spaces shall be clearly marked.
- F. **Integrate the design** of any type of structured parking into the architecture of the building. It shall not appear to be a separate structure or lack design detail because it is parking.



Caption here...

## SD.5 SCREENING AND SNOW STORAGE

- A. A **designated area** for trash containers and snow storage shall be provided on a site plan.
  - » *These may be located in separate locations.*
- B. Refuse storage, general storage, loading and mechanical shall be **screened** when visible from a public right-of-way. Screening methods shall be incorporated as part of the landscape and architectural design - using **high-quality materials** that align with the design concept. Any permanent structure shall **meet the setbacks** within Chapter 16.
  - » *Coordination amongst adjacent property owners to share refuse containers and storage facilities is encouraged.*
- C. **Fences** in the front of a lot shall not exceed **3-feet** for opaque and **4-feet** for transparent. Fences in the rear shall not exceed **6-feet**. All refuse storage, no matter where the location shall be **6-feet** tall if detached from the primary structure.
  - » *Incorporating a permanent space within a covered or fully enclosed garage as part of the primary structure is encouraged.*
- D. **Snow shall be cleared** from public sidewalks by **8am** following a storm event and consistently maintained during typical business hours of **??? to ???**.
  - » *Consider snow maintenance when designing the site plan for a project. Provide common areas where snow can be placed, ideally pervious locations to allow snow melt to be transferred underground.*



All refuse storage shall be 6-feet tall if detached from the primary structure and designed with high-quality materials.

## SD.6 LANDSCAPE AND HARDSCAPE

- A. **Trees** placed within a setback facing Main Street shall be treated as “street trees” and be placed in a **tree grate** level with paving so that pedestrian space is maximized. These trees shall be **deciduous**.
- B. **Tree species** shall be proven as successful trees in Colorado high mountain climates with ample soil volume for deep root growth. Fruit bearing trees are not permitted.
- » *Seasonal coloring of leaves is desired.*
- C. Landscape plans shall select **drought-tolerant, low maintenance** plants and be coordinated with low impact development (LID) standards in the code.
- » *Plants that need little to no irrigation are desired.*
  - » *Annuals in planters that require more water may be used in prominent locations such as along Main Street.*
  - » *Avoid using planters that may become used as or mistaken for trash containers.*
- D. **Hardscape** (pavers, gravel, mulch, decking) shall be selected so that it blends with the architecture and surrounding context.
- » *Consider materials that were historically used in Minturn such as wood and stone.*
  - » *Consider maintenance and availability of materials when replacement is necessary.*



*Hardscape shall be selected so that it blends in with the architecture and surrounding context. Seasonal coloring of leaves is desired.*

## SD.7 LIGHTING

- A. **Minimize light spill** onto adjacent properties and toward the sky.
- » *Use a fixture that provides even lighting for a plaza, courtyard or patio area.*
  - » *Shield site lighting to minimize off-site glare.*
  - » *Orient fixtures to the ground.*
- B. Lighting shall be provided for all **publicly accessible open spaces** (plazas, pocket parks, passages) and facing **public streets**.
- » *Small-scale fixtures with down-lighting or light bollards may be used to illuminate a pathway.*
  - » *Overhead lights should be pedestrian-scaled (approximately 12-15 feet).*
  - » *Lighting may be affixed to a building and directed toward public spaces as well.*
  - » *All lighting fixture designs should be of a style that is compatible with the architecture and site design.*
  - » *Overhead “twinkle” lights should be allowed.*



*Lighting shall be provided for all publicly accessible open spaces.*

# SITE DESIGN: INSPIRATION



*An inviting semi-public pedestrian passage between two buildings includes windows, balconies, high-quality materials, and landscaping.*



*A small, shared street is activated with storefronts and windows, balconies, landscaping, and lighting.*



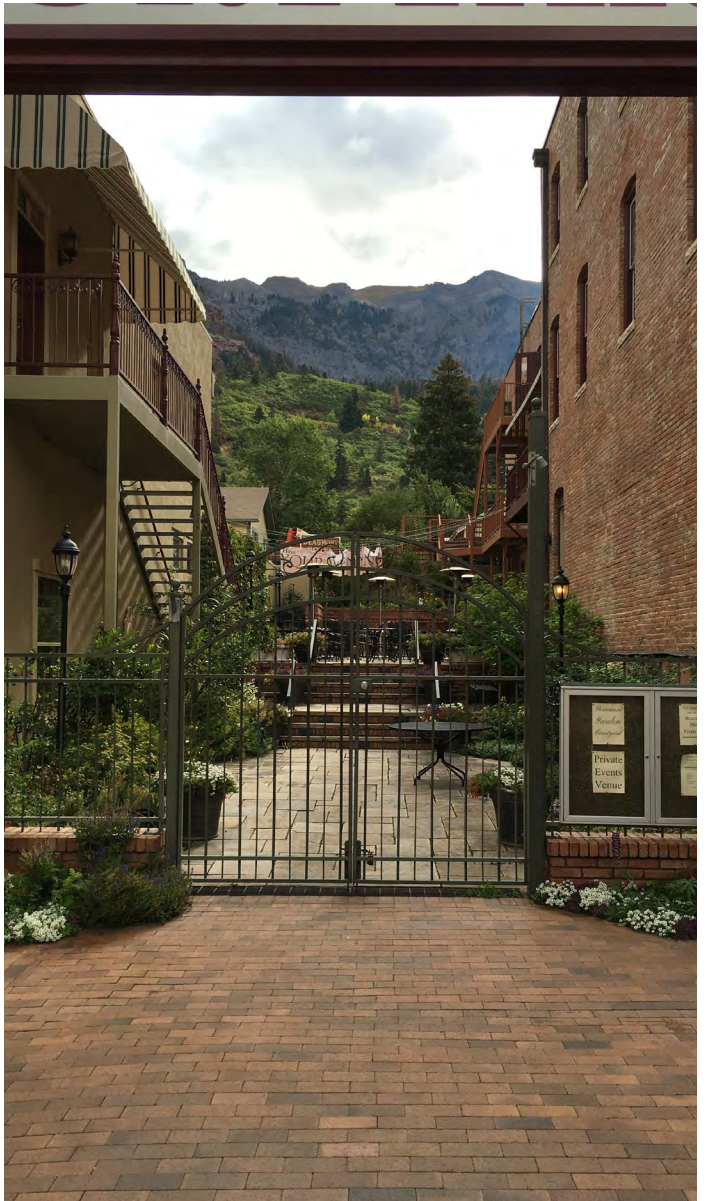
*A pedestrian passage to a parking lot goes through a wine bar courtyard with benches, tables, umbrellas, and overhead "twinkle" lights.*



*Stone steps are designed to be a natural amphitheater and offer impromptu seating and play area for children.*



*A semi-public courtyard space is accessible and visible from a public sidewalk.*



*A private passage preserves a public view!*



*A main street is activated with cafe seating that is comfortable to sit in with landscaping and shade.*



*Flowers in the summer add vibrancy and let people know a place is cared for.*



*Recycled bicycles attached to a stair railing adjacent to a public space provides interest and whimsy and celebrates the cycling lifestyle.*



## BUILDING DESIGN

# 3

Building design refers to the size, forms, and scale of a building as well as materiality and color, roof form, and architectural details. This chapter does not intend to dictate a particular “style” of architecture. Rather, it is intended to maintain a similar scale and form so that the historic character and charm of the 100 Block remains while allowing progress and change to occur over-time. Each new building should add to Minturn’s uniqueness. Creativity is encouraged though limited boundaries are necessary.

# BUILDING DESIGN: DEFINING FEATURES

As shown in the Site Design chapter, the 100 Block was originally platted with 25-foot wide lots. This established a cadence to Main Street with multiple buildings and entrances along a block. Buildings were typically 1-2 stories with pitched roofs (some were one story with a pitched roof that had a faux facade to appear as a large, flat-roof structure.) They were built with simple forms and local materials. Ornate architecture was not common.

## A STAGGERED CADENCE

Though lots had a cadence of 25-feet, there has always been a staggered appearance to Main Street, as some buildings were built right up to the street and others were set back. Other lots were used for open space, or not developed leaving “holes” in the streetscape.

## SIMPLE FORMS

Traditional buildings of Minturn were simple boxes of one to two stories and pitched roofs. Additive features like roof dormers and awnings, or bay windows and porches on residential structures, added more detail. Some included faux facades that looked like a two-story, flat roof structure from Main Street, but had a pitched roof behind. Some, like the Eagle River Hotel, was taller and had a flat roof, but that was not the norm.

## NATURAL MATERIALS

Traditional building materials were primarily wood siding, although some stone masonry, brick and stucco were used as well. Roofs were primarily metal or asphalt shingled.

## A PATTERN QUILT

Some original buildings remain, but have been updated and others have been demolished and replaced. Regardless, what is left today is a “pattern quilt” with unique “squares” that make up the eclectic spirit that people love and cherish.



A historic photo of Main Street shows the staggered cadence of buildings along the street - some are at the sidewalk edge and others are set back.

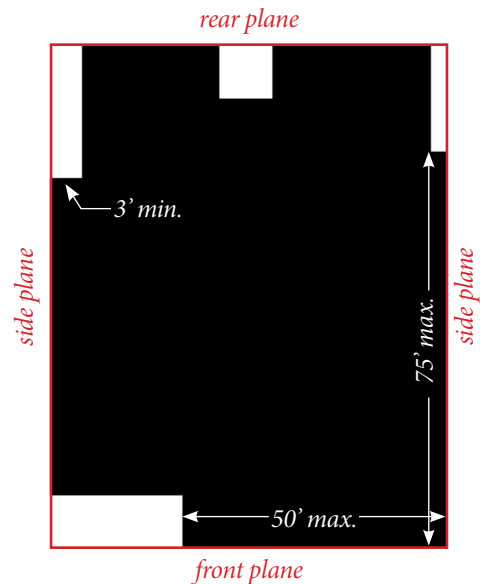


Artist rendering (credit: Beth Levine) of architectural styles in Minturn.

# BUILDING DESIGN: STANDARDS AND GUIDELINES

## BD.1 BUILDING FORM AND MASSING

- A. The **maximum length** of any wall on the same plane along the front and rear shall be **50-feet** and along the sides shall be **75-feet**. After this dimension, the building wall must shift on a horizontal plane a minimum of **3-feet**.
- B. **Main Street facades** shall be articulated every **25-feet** to reflect the historic platting of Main Street. Methods of articulation may include:
  - » *A material change, plane change/wall offset, exposed structural detailing, or other architectural detail that provides a shadow line and breaks up the facade to maintain a cadence and scale of 25-foot intervals along Main Street.*
  - » *A change in height.*
- C. New structures shall **maintain a scale and compatibility** with nearby traditional buildings.
  - » *Use similar building heights and/or datum lines (e.g. porch height, window sill/plate height, eave or ridge line, etc.) of adjacent structures.*
  - » *Align windows and use similar scale windows, where feasible.*
- D. Avoid forms that appear monolithic in comparison to the surroundings. **Break down the scale** of a building when adjacent to smaller structure(s). Consider the following:
  - » *Transition a building height to be lower when adjacent to a one-story structure.*
  - » *Add elements like patios/porches, balconies, pergolas, awnings, etc.*
  - » *Use a lower floor-to-floor height or half-stories to maintain desired square footage without appearing monolithic.*
  - » *Also refer to BD.2 Street Level Design*
- E. **Express historic industries** of Mintun in the building form and massing: mining, railroad, farming.



*Front and rear planes shall have a maximum wall dimension of 50-feet and side planes shall have a maximum of 75-feet. A 3-foot minimum offset is required to differentiate planes.*



*New structures shall maintain a scale and compatibility with nearby traditional structures.*



*Break down the scale of a building when adjacent to smaller structure(s).*



## BD.2 STREET LEVEL DESIGN

- A. The street level of a building **facing Main Street** shall include a minimum of **70%** transparency.
- B. **One entrance per 25 feet** is required along **Main Street**.
- C. Design each street level (ground floor of a building facing a public street) to **be active and engaging** and provide visual interest for pedestrians. A **storefront** shall be required along **Main Street**.
  - » *Reflect historic patterns and proportions for new storefront designs.*
  - » *If the use is not compatible with a storefront, an alternative may be approved by the Design Review Board.*
  - » *Alternative options for street-level design include: windows, doors, display windows, landscaping, wall art/mural.*



The street level of a building facing Main Street shall include a minimum of 70% transparency, have an entrance every 25-feet and be designed to provide visual interest.

## BD.3 MATERIALS AND COLOR

- A. **Primary materials** shall be selected based upon historic use and compatibility with Minturn’s historic industries and built environment.
  - » *Natural materials such as wood and stone are preferred primary materials. Contemporary interpretations of wood, such as concrete board may be appropriate.*
  - » *Brick is not a commonly found material in the 100 Block but may be applicable as a primary material due to its durability.*
  - » *Cementitious three-coat stucco may be used as a primary material, except facing Main Street.*
- A. **Secondary materials** shall add color and visual interest.
  - » *Metal or concrete boards or panels, stone veneer, stucco, or other contemporary material.*
- B. Extruded aluminum or vinyl siding and EIFS (exterior insulating finishing system) or other synthetic stucco shall **not be allowed**.
- C. **Color** is welcome in the 100 Block. Color selection shall take into consideration the context.
- D. Utilize materials that are **modules** - such as panels, siding, and masonry - to add human scale to a building.
- E. A **change of material** shall not be allowed on the same plane of a wall surface.
- F. Avoid using too many materials in a single design where a building appears too “busy.”



Utilize materials that are modules to add human scale to a building. Color is welcome in the 100 Block.

## BD.4 ROOFS

- A. Design **roofs** to **minimize the overall scale** of a building, be **compatible** with traditional forms, and **maximize sun access** to adjoining properties.
- B. **Pitched roofs** (gabled, hipped, and shed) are most common and preferred. **Alternative roof forms** such as mansard, gambrel, domed, curved, etc. are not allowed.
  - » *Utilize pitched roofs for additional indoor space, when feasible.*
  - » *Flat roofs and faux flat roofs are also present in traditional forms and should be permitted.*
- C. Roof shapes shall be made of **simple form(s) with additive features**. Do not over-complicate a roof form with too many forms.
- D. Be cognizant of where **snow** will shed. Do not place a public gathering space in a direct line of steep pitch. Place appropriate snow controls to avoid roof avalanches.
- E. Use **materials** commonly found in Minturn - metal (shingle or standing seam), shingle (asphalt or slate), or other material approved by the design review board.
  - » *Consider the color of a roof, especially when visible from a public street. Alternative colors (i.e. not black or gray) are welcome, so long as they are compatible with their surroundings.*
- F. In general, buildings and roof design should appear to **step up the hillside** when viewed from far away.

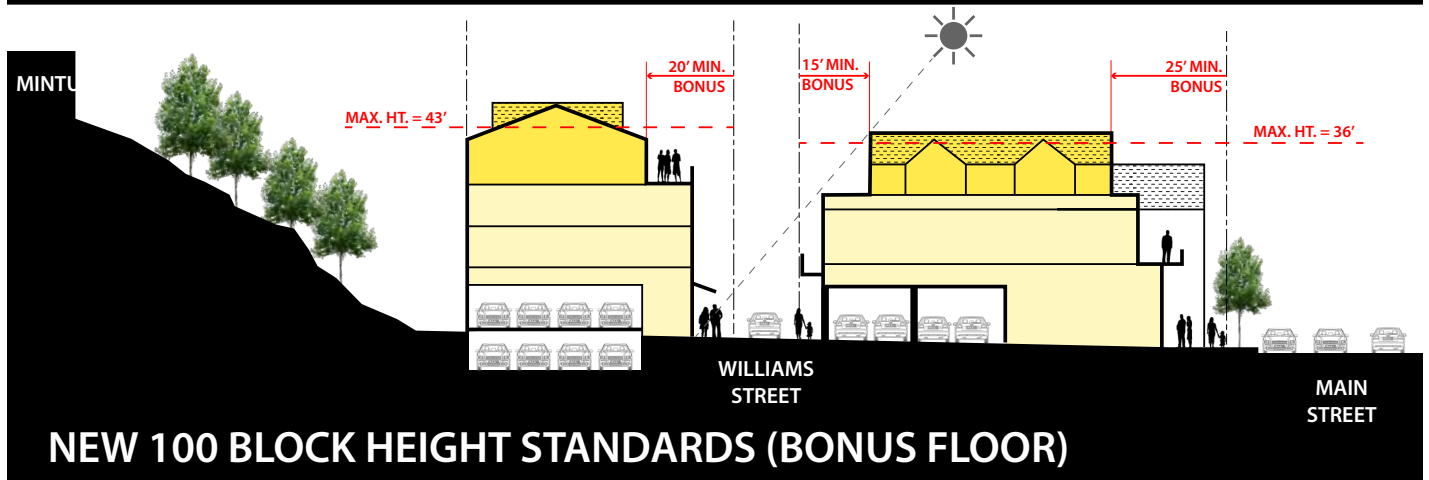
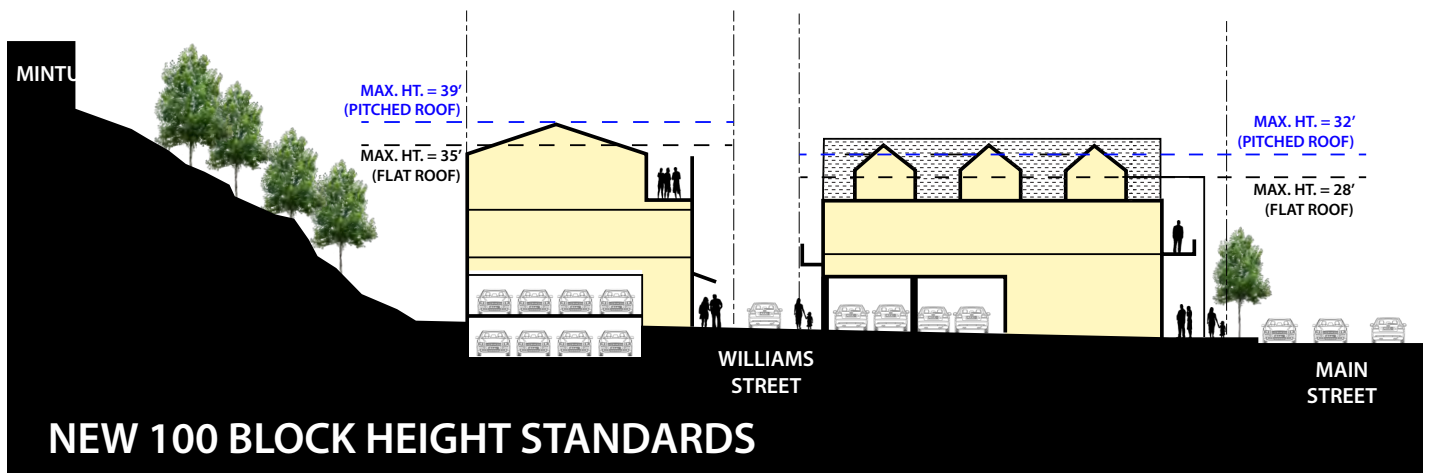


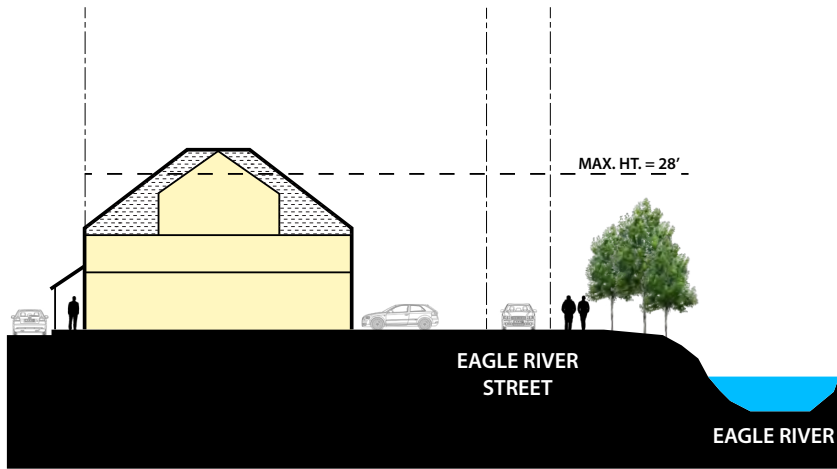
*Pitched roofs are most common and preferred. Roof shapes should be made of simple forms with additive features.*



*Buildings appear to step up a hillside.*

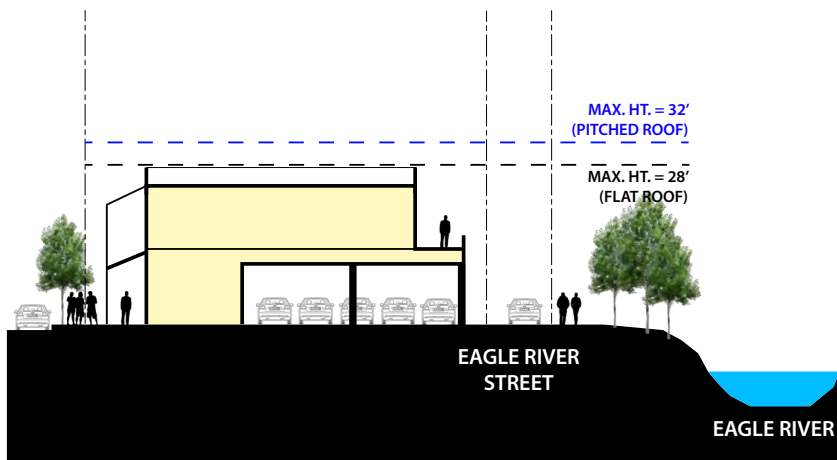
# BUILDING DESIGN: BUILDING HEIGHT STANDARDS





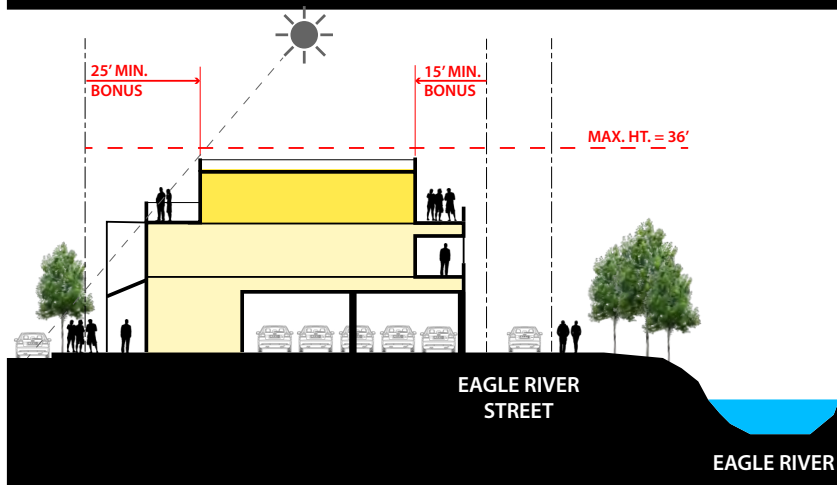
## FORMER 100 BLOCK HEIGHT STANDARDS

This diagram shows the existing conditions and former height rules for the 100 Block which included a maximum of **28-feet** for properties with frontage along Main Street (now 100 Block: A) and **35-feet** for properties off of Main (now 100 Block: B.) There was also a bulk plane for Main Street properties that required a setback or pitched roof after 20-feet at the Main Street setback line.



## NEW 100 BLOCK HEIGHT STANDARDS

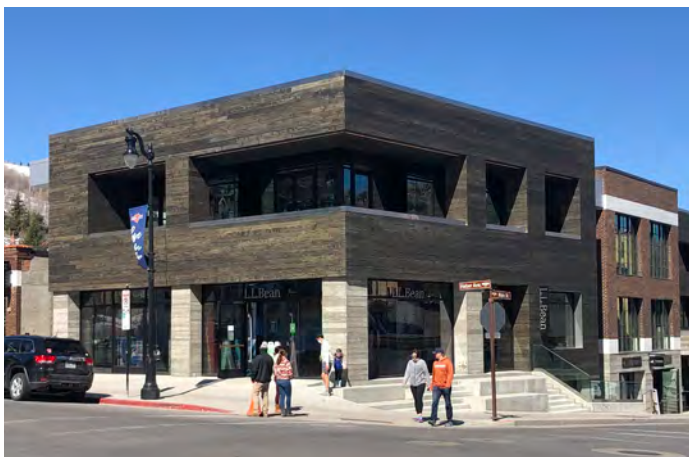
The new rules keep a maximum of **28-feet (2-stories)** and **35-feet (3-stories)** in the same locations, but only for flat roof structures. **Pitched roof structures are encouraged** by allowing additional height: **32-feet (2.5 stories)** and **39-feet (3.5 stories)**. The diagram to the left shows the potential scale of new structures under these rules.



## NEW 100 BLOCK HEIGHT STANDARDS WITH A BONUS FLOOR

An additional floor/story may be added if it meets certain dimensional requirements as well as additional site improvement requirements. The maximum height for 100 Block: A is **36-feet (3-stories)** and 100 Block: B is **43-feet (4-stories)**. This option will provide variety in scale and development options while maintaining the scale of traditional structures.

# BUILDING DESIGN: INSPIRATION



*Two new buildings in a traditional downtown - one is contemporary modern with a flat roof and one is contemporary mountain with a pitched roof. Both blend in while adding their own sense of style.*



*A large building reduces its mass with a traditional rhythm of storefronts, adding features like awnings and planters, and stepping back the upper level of the building. Note that this building is larger than anything that would be allowed in the 100 Block, but offers similar methods desired for breaking down the scale of a building to be human scaled.*



*An open and airy storefront spills light onto a sidewalk, making it inviting and welcoming.*



*A contemporary building uses wood and metal siding and activates the ground floor with a storefront, multiple entrances, and planters.*



*The “rear” of a building animates an alley by adding an active, tax-generating use. The scale of the building is reduced by stepping back upper floors to create a human scale from the ground.*

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



**Minturn Planning Commission**  
Chair – Lynn Teach  
Jeff Armistead  
Michael Boyd  
Elliot Hovey  
Sage Pierson  
Tom Priest

**To:** Town Council  
**From:** Madison Harris, Planner I  
Michelle Metteer, Town Manager  
**Date:** July 6, 2022  
**Re:** Historic Preservation Commission Appointments

---

### **Request**

Council is asked to approve Resolution 28 - Series 2022 appointing five Historic Preservation Commission Members to the Historic Preservation Commission (“HPC”).

### **Introduction**

The HPC is a five member commission appointed with “three year staggered terms from the date of their appointment; provided, however, that the initial appointment to HPC shall consist of one appointment of a term of one year, two appointments of a term of two years, and two appointments of a term of three years.” - Minturn Municipal Code (“MMC”) Sec. 19-2-30 (1). Sec. 19-2-20 of the MMC states that “At least 3 of the voting members shall be full time Residents, Property or business Owners, or designated representatives of Property or business Owners within the Town” and that “At least 2 of the voting members shall be professionals or shall have extensive expertise in a preservation-related discipline, including but not limited to History, Architecture, Landscape Architecture, American Studies, American Civilization, Construction and Building Trades; Cultural Geography, Cultural Anthropology, Environmental Expertise, Planning, Real Estate, or Archeology. The Town Council may waive this requirement on a determination that there are not eligible prospective members who meet these criteria.” There are no term limits, only that public review and appointment take place.

Staff has advertised the formation of the HPC and received nine (9) applications, all of whom are qualified to serve. Council is asked to appoint one applicant to the initial one year term, two applicants to the initial two year terms, and two applicants to the initial three year terms.

### **Applicants:**

- Hawkeye Flaherty
- Kelly Toon
- Ken Halliday
- Kenneth J Howell
- Larry Stone
- Lynn Teach
- Shelley Bellm
- Tracy Andersen
- Will Sipf

Applicants will have time to answer questions from the Council. Ballots will be provided to the Council with the nine applicants' names. Council will be asked to choose five names, and the applicants that receive the two highest votes will be appointed to the three year terms, third and fourth highest votes will be appointed to the two year terms, and the fifth highest vote will be appointed to the one year term.

It is of note, the Historic Preservation Committee at their second meeting on January 20, 2022 stated that HPC should be separate from Planning Commission as Planning Commission has a different focus and each board should have its own power. This committee consensus was also reflected in the survey that was distributed to the Committee members in advance of the second meeting. [Complete Historic Preservation Committee Survey results can be found here](#). Here is a [link](#) to the video recording of the second Historic Preservation Committee meeting where separation of the HPC and Planning Commission was discussed. This, however, was not established in the MMC and final appointments are at the sole discretion of the Council.

### **Analysis**

Upon appointment selections, the first HPC meeting is scheduled for Tuesday, July 26, 2022, time TBD. At the first HPC meeting the meeting schedule will be determined.

### **Community Input**

Candidates were solicited through public notice via e-blast, town website and public notices in the Vail Daily legal section.

### **Budget/Staff Impact:**

Unknown. This is initially a volunteer only position. Consumption of staff time is not yet determined.

### **Strategic Plan Alignment**

The Town Council's review and approval of the resolution 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.

#### **SUSTAIN AND INVEST IN THE THINGS THAT DEFINE MINTURN AS A PROUD, STURDY MOUNTAIN TOWN TO "KEEP MINTURN MINTURN"**

Minturn strongly values its full-time resident community. Founded by the working-class, the town continues to emphasize the local's experience and quality of life. To maintain the character of Minturn and its ability to transcend time, the community must continually make strides to emphasize the working class.



**Recommended Action or Proposed Motion**

“I make a motion to approve Resolution 28 - Series 2022 appointing \_\_\_\_\_ and \_\_\_\_\_ to serve on the Minturn Historic Preservation Commission through July 31, 2025, appointing \_\_\_\_\_ and \_\_\_\_\_ to serve on the Minturn Historic Preservation Commission through July 31, 2024, and appointing \_\_\_\_\_ to serve on the Minturn Historic Preservation Commission through July 31, 2023.”

**Attachments**

- Resolution 28 - Series 2022
- HPC Applications Submitted

**TOWN OF MINTURN, COLORADO  
RESOLUTION NO. 28 – SERIES 2022**

**A RESOLUTION APPOINTING HISTORIC PRESERVATION COMMISSION  
MEMBERS**

**WHEREAS**, The Minturn Historic Preservation Commission (“HPC”) Members are appointed by the Town Council pursuant to Minturn Municipal Code Section 19-2-10; and

**WHEREAS**, pursuant to Minturn Municipal Code Section 19-2-30(1), the HPC is required to be appointed to staggered three year terms; and

**WHEREAS**, the initial appointment of HPC members consists of two members serving for three years, two members serving for two years, and one member serving for one year; and

**WHEREAS**, the Town Council recognizes and appreciates the service and commitment of the HPC 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:**

<b>NAME</b>	<b>TERM</b>
_____	July 31, 2025 – 3yr
_____	July 31, 2025 – 3yr
_____	July 31, 2024 – 2yr
_____	July 31, 2024 – 2yr
_____	July 31, 2023 – 1yr

**INTRODUCED, READ, APPROVED, ADOPTED AND RESOLVED this 6<sup>th</sup> day of July, 2022.**

TOWN OF MINTURN

By: \_\_\_\_\_  
Earle Bidez, Mayor

ATTEST:

\_\_\_\_\_  
Jay Brunvand, Town Clerk

## Madison Harris

---

**From:** HAWKEYE FLAHERTY <hawkeye25@outlook.com>  
**Sent:** Thursday, June 30, 2022 5:00 PM  
**To:** Madison Harris  
**Subject:** Historic preservation

Please accept this a my letter of application for the historic preservation committee.

Sincerely  
Hawkeye Flaherty

Sent from [Mail](#) for Windows

## Madison Harris

---

**From:** Kelly Toon <knoottoon@gmail.com>  
**Sent:** Wednesday, June 29, 2022 2:32 PM  
**To:** Madison Harris  
**Subject:** Historic preservation comission

Dear Madison i am interested in being a part of the historic preservation commission . I think I have a very good understanding of this town's history construction and architecture of this town I've been a resident for more than 20 years a resident of this valley for 30 years spent my whole life involved in architecture and construction have a deep love for this town and preserving it. I also served on Beaver Creek's design board with jack hunn. I've been remodeling houses of Minturn and then have a good understanding of their construction but they used to look like and how they evolved . This last week I am under distress my mother just died a few days ago , there might be i few typos. but I would like the possibility of an interview.

Sent from my iPad

## Madison Harris

---

**From:** Kenneth Halliday <khalliday62@gmail.com>  
**Sent:** Wednesday, June 29, 2022 7:22 AM  
**To:** Madison Harris  
**Subject:** HPC

Good morning,

I would like to submit my interest in serving on the Historic Preservation Committee.

Thank you for your consideration.

Ken Halliday  
811 Main Street  
210-867-1514

Town of Minturn,

I have lived in Colorado for over 13 years now and have spent time in Vail, Crested Butte and with most longevity, Avon. While in Avon, I was offered the opportunity to provide energy and expertise to my multi-term position on the Planning and Zoning Commission. My degree is in Urban Planning with a Concentration in Community Development, and I have special appreciate for small mountain towns.

Minturn is a special place with a unique opportunity to place itself in collaboration with development that is coming its way. As it is said, one can be a part of progress, or they will likely watch progress happen around them. Much like the Railroad history provided the creation of Minturn, its evolution is connected to tourism and an ability to grow in sustainable ways that effectively celebrate the rich history of the town.

Witnessing Minturn from afar is one thing yet living here and starting a business instills a desire to contribute in any way I can. I would greatly appreciate an opportunity to share how I can be of service to my community with the Historic Preservation Commission.

Thank you for consideration,

Kenneth J. Howell, SHRM-CP  
KJH Culture  
KJHculture@gmail.com  
931-320-1852  
382 Main St  
PO Box 1444

6-29-22

# TOWN OF MINTURN

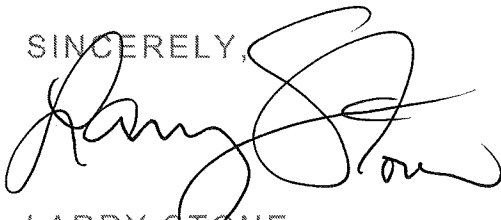
302 PINE STREET | MINTURN, CO 81645

I would like to express my interest in being selected for the Historic Preservation Commission.

I own property at 201 Main Street where my partner and I operate The Scarab retail establishment. We recently renovated the historic Helen's House Minturn home located at 152 Main Street. There we worked closely with craftsmen to try and keep as much of the original house as possible.

I believe my time and experience in Minturn helps to make me an ideal candidate for the commission.

SINCERELY,

A handwritten signature in black ink, appearing to read "Larry Stone". The signature is fluid and cursive, with the first name "Larry" and the last name "Stone" clearly distinguishable.

LARRY STONE  
970-977-7847

P.O. BOX 0563 | MINTURN, CO. | 81645-0563

6/29/22

Town of Minturn  
Town Council

I am writing this letter to express my interest to be on the "HPC" Commission

I am a property and business owner in the town of Minturn. I also serve on the P & Z Commission and have all intentions of continuing to serve.

Other than having previous ownership in properties dating from 1899 thru the 1930's and following the progress of the HPC Meetings and the creation of the HPC Ordinance, my personal experience is minimal.

However, I am very interested in learning and helping in any way I can. I believe this is an important step for the town.

Sincerely,  
Ryan Deal





Shelley Bellm  
470 Pine Street  
Minturn, CO 81645

June 30, 2022

Town of Minturn  
302 Pine Street  
Minturn, CO 81645  
Attn: Minturn Planner

To Whom it May Concern:

Please consider this letter of interest as my application for an appointment to the Minturn Historic Preservation Commission. As a member of the exploratory committee, I was intimately involved in the development of the ordinance establishing this commission.

My experience in this field includes 10 years on the Minturn Town Council, 13 years in the planning and building community with a strong background and understanding of the Town ordinances as well as building codes, and I am a 30+ year resident of Minturn. I have a strong desire to see Minturn maintain the unique architecture we currently have while allowing the opportunity for redevelopment to occur. Minturn has a long history of a quirky, eclectic vibe and I'd hate to see our community turn into the flat roof square architecture our neighbors are currently allowing.

Thank you for your consideration.

Shelley Bellm

Tracy Andersen  
PO Box 871  
Minturn, CO 81645  
(303) 543-8738

Dear Madison,

I understand that there is a need for committee members for the Minturn Historical Preservation Commission. I am writing to let you know that I am interested in serving in this capacity.

I started my Minturn journey in 2005 as a part time resident. Since 2016, I have lived here full time and purchased a house in 2020. I am currently a teacher at Battle Mountain High School. I keep up with town affairs via regular zoom attendance at all Town Council meetings.

Prior to teaching, I was a Program Manager with The Nature Conservancy and worked to protect valuable habitat within selected areas of Colorado. Before that, I worked as a ranger naturalist at Grand Teton National Park..

In terms of education, I have a BA from Smith College, where I majored in biology. I have a masters degree from Yale University in environmental management, with an emphasis in wildlife ecology. I earned my teacher certification at Metro State University.

I am interested in the position because I want to help the town preserve the distinct values that make it so special.

Thank you for your consideration.

Sincerely,

Tracy Andersen

My name is William (Will) Sipf and I have been a full-time resident in the Town of Minturn for a little over 7 years. I live at 154 Lions Lane in the Minturn Towne Homes. While I do not own the home, my wife and I are slowly purchasing the residence from the home owners who happen to be my parents through a private agreement we have with them. We are currently pregnant and expecting our first child in November and we have no intentions on leaving Minturn in the coming years. I was born and raised in Denver, CO and after graduating high school, I attended Bucknell University in Lewisburg, PA and was a double major in economics and philosophy with a minor in music. I am currently a realtor with LIV Sotheby's International Realty in Vail Village and have been practicing real estate as a full commissioned based realtor since the middle of 2018.

I have a desire to be a committee member of the Historic Preservation Committee for the sole purpose of ensuring the proper character of the Town of Minturn for years to come. Minturn is a small, tight-knit community, and preservation of the various buildings that are deemed historic and meet the requirements for what is a historic building in the State of Colorado is highly important in helping maintain the character of the town. I have done a thorough review of Chapter 19-Historic Preservation and feel as though I would be a valuable member to the committee and would have thoughtful insights to provide. Over my professional and young professional career, I have served on our HOA Board, the Vail MLS Committee within the Vail Board of Realtors, student government at Bucknell University for two years, and was the president of a student run credit union while in high school for two years. In addition to being a realtor currently, I have worked in the commercial real estate industry for 4 years as a property inspector for various commercial and industrial properties located throughout Colorado, as well as worked in the loan servicing department for the same company helping perform annual loan servicing duties. Due to my prior work experience as well as my prior experience working in small groups for the benefit of others with no personal financial gain, I do feel the knowledge and experience gained over the course of those years of service and professional work is invaluable and incredibly beneficial for a committee of this nature and I would love to be a part of it.

Thank you for your consideration.

All the Best,

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Town Council  
Mayor – Earle Bidez  
Mayor Pro Tem – Terry Armistead  
Council Members:  
George Brodin  
Lynn Feiger  
Gusty Kanakis  
Kate Schifani  
Tom Sullivan

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**Town Manager Update;** *Note: Blue text indicates a linked document.*

### **\$220,000 DOLA Grant Award**

Minturn has been awarded \$220,000 from the Department of Local Affairs toward the matching portion of Minturn’s sidewalk construction grant. To clarify, Minturn was awarded \$1,402,000 through the CDOT Revitalizing Main Streets grants program. As part of that grant, Minturn was required to provide \$440,000 in matching funds. With the grant award from DOLA, Minturn will now only spend \$220,000 of the Capital Improvements Fund toward the construction of Main Street sidewalks phase two (900 block of Main St to just before the Boneyard Open Space). Construction is scheduled to begin in the spring of 2024.

### **Water Infrastructure Funding**

I attended (virtually) a Lunch & Learn session with the Colorado River Water Conservation District on Wednesday, June 29<sup>th</sup>. The focus of the session was to review the [bipartisan infrastructure law](#) and the funding available therein. Staff will now begin to wade through the [different funding opportunities](#) to determine which grant applications may best align with Minturn’s water infrastructure needs.

### **Water Rate Survey Results**

The Colorado Department of Local Affairs conducted a state-wide [municipal and special district water rate survey in 2021](#). The results of that survey are now available for review. Pages 22-30 specifically provide average monthly residential water rates for the communities that completed the survey.

### **2023 Budget Prep**

Work has started on the 2023 budget. Included with this update is a tentative timeline of the budget review provided by Jay Brunvand. This timeline can be modified as Council determines.

### **Water Treatment Plant Scope of Work**

Jeff Spanel, Inter-Mountain Engineering, and I met with Jarod Limke, HDR, last week to review the 33-page draft water treatment plant scope of work. Afterward we provided Jarod with a complete tour of Minturn’s water infrastructure. Revisions are now being made to the scope of work and are expected to come before Council at the July 20<sup>th</sup> meeting for review and approval.

### **Conservation Land Trust – Boneyard Open Space Review**

I met with representatives of the Eagle Valley Land Trust on July 21<sup>st</sup> for the annual review of the Boneyard Open Space property. This is a requirement within the conservation easement. No issues were identified during the review.

**Two Elk Target Range / Minturn Shooting Range**

A public survey is now available for the gathering of information from the general public regarding the Minturn Shooting range. The shooting range is located on USFS land and is therefore owned by all citizens. All public land users are encouraged to take the survey before the end of July. Here is the link to the survey: <https://www.minturn.org/home/news/minturn-shooting-range>

## FY 2023 BUDGET SCHEDULE

2022 DATE	DESCRIPTION	NOTES	TO DO
APRIL THROUGH AUGUST 2022	STAFF REVIEW AND PREPARATION	REVIEW BUDGET AND FIELD QUESTIONS FROM STAFF AS NECESSARY. STAFF WILL HAVE OPPORTUNITY TO SUPPLY INPUT ON BOTH THEIR BUDGET AND CIP NEEDS	
SEPTEMBER 2022	<b>DISCUSSION ITEMS OR MANAGER'S REPORT AS NEEDED</b>	Discuss Preliminary Budget concerns and receive direction from Council as needed.	
10/5/2022	COUNCIL MEETING	REVIEW BUDGET HIGHLIGHTS AND FIELD QUESTIONS FROM COUNCIL AS NECESSARY  COUNCIL WILL FORMALLY ACCEPT THE BUDGET AS REQUIRED BY C.R.S 29-1-106(1) This will be a time for Council comments and Direction as well.	Council to receive Preliminary electronic Budget by October 1  AFTER MEETING POST AND PUBLISH IN NEWSPAPER THE "NOTICE OF BUDGET"
10/19/2022	COUNCIL MEETING	REVIEW BUDGET AND SPECIAL PROJECTS TO GAIN BUDGET INPUT AND DIRECTION FROM COUNCIL	
11/2/2022	COUNCIL MEETING	PUBLIC HEARING ON THE PROPOSED BUDGET AS ACCEPTED ON OCTOBER 3RD <b>(ONLY ONE PUBLIC HEARING SCHEDULED)</b>	
11/16/2022	COUNCIL MEETING	1ST READING OF BUDGET ORDINANCES: - BUDGET ADOPTION ON FIRST READING - MILL LEVY ADOPTION ON FIRST READING - FY 2021 SUPPLEMENTAL APPROPRIATION ON FIRST READING - TOWN FEE ADOPTION ON FIRST READING	PUBLISH ORDINANCES BY TITLE ONLY (FIRST READING) IN NEWSPAPER
12/7/2022	COUNCIL MEETING	2ND READING OF BUDGET ORDINANCES: - BUDGET ADOPTION ON FINAL READING - MILL LEVY ADOPTION ON FINAL READING - FY 2021 SUPPLEMENTAL APPROPRIATION ON FINAL READING - TOWN FEE ADOPTION ON FIRST READING	PUBLISH ORDINANCES BY TITLE ONLY (SECOND READING) IN NEWSPAPER

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 Mayor Pro Tem – Terry Armistead  
 Council Members:  
 George Brodin  
 Lynn Feiger  
 Gusty Kanakis  
 Kate Schifani  
 Tom Sullivan

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

<b>REGULAR TOWN COUNCIL MEETINGS</b>
<b>July 6, 2022</b>
Ordinance ___ - Series 2022 100 Block Design Guidelines
Economic Feasibility Study Presentation - EPS
Minturn Parking Study Discussion – Fehr & Peers
Historic Preservation Commission appointments
<b>July 20, 2022</b>
Ordinance 7 – Series 2022 (First Reading) an Ordinance for Belden Place consideration of rescind – Metteer/Sawyer
Ordinance 08 – Series 2022 (First Reading) an Ordinance for Belden Place consideration of rescind – Metteer/Sawyer
Water Treatment Plant Scope of Work Contract - HDR
Ordinance __ - Series 2022 an Ordinance adopting updated political sign code regulations-RJP
Ordinance __ - Series 2022 an Ordinance amending the landscaping standards - Hunn
DCI Doers Discussion
Ordinance __ - Series 2022 An Ordinance modifying the Short-Term Rental code
<b>August 3, 2022</b>
Ordinance 7 – Series 2022 (Second Reading) an Ordinance for Belden Place consideration of rescind – Metteer/Sawyer
Ordinance 08 – Series 2022 (Second Reading) an Ordinance for Belden Place consideration of rescind – Metteer/Sawyer
Res ___ - Series 2022 Strategic Plan Update
Ordinance ___ - Series 2022 100 Block Design Guidelines (Second Reading)
<b>DATE TO BE DETERMINED</b>
2021-23 Strategic Plan Amendment – Building Code Updates
Assessment of UPRR property and possible purchases
Potential legislation regarding Mobile homes
Car Idling