



## AGENDA

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

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

**Join from PC, Mac, Linux, iOS or Android:**

**<https://us02web.zoom.us/j/83889374323>**

**Phone:**

+1 651 372 8299 US

+1 301 715 8592 US

**Meeting ID: 838 8937 4323**

**Wednesday, August 12, 2020**

**Regular Session – 6:30 PM**

**CHAIR – Lynn Teach**

**COMMISSION MEMBERS:**

Jeff Armistead

Lauren Dickie

Burke Harrington

Christopher Manning

Jena Skinner

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

### **Regular Session – 6:30pm**

**1. Call to Order**

- Roll Call
- Pledge of Allegiance

**2. Approval of Agenda**

- Items to be Pulled or Added

**3. Approval of Minutes**

- July 22, 2020

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

**5. Planning Commission Comments**

**DESIGN REVIEW AND LAND USE PUBLIC HEARINGS**

**6. 540 Taylor Avenue – Engel-Perkins Final Plan Review Continued from July 22, 2020 Meeting**

**Allie Perkins and Andrew Engel, Property Owners and Applicants, with Representative Weston Bierma, Range Mountain Homes**

The Owners/Applicants request final plan review and approval for 540 Taylor.

**Recommendation:** Approval with Conditions

**PROJECTS AND UPDATES**

**7. Project Updates**

- Chapter 16 - Summary

**8. Planning Director Report & Minor DRB Approvals by Director**

- None

**9. Future Meetings**

- August 26, 2020
- September 9, 2020

**10. Adjournment**



## MINUTES

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

**Meeting will be held via Zoom Conferencing and call-in.  
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**Join from PC, Mac, Linux, iOS or Android:**

**<https://us02web.zoom.us/j/89170516024>**

**Phone:**

+1 651 372 8299 US

+1 301 715 8592 US

**Meeting ID: 891 7051 6024**

**Wednesday, July 22, 2020**

**Work Session – CANCELLED  
Regular Session – 6:30 PM**

**CHAIR – Lynn Teach**

**COMMISSION MEMBERS:**

Jeff Armistead

Lauren Dickie

Burke Harrington

Christopher Manning

Jena Skinner

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

**Work Session – CANCELLED**

**Regular Session – 6:30pm**

**1. Call to Order**

Lynn T. called the meeting to order at 6:36 pm.

- Roll Call

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

*Note: Lauren D. is attending in her status as an alternate. The quorum stood at 5.*

Staff Members Present: Town Planner Scot Hunn and Planner I Madison Harris.

- Pledge of Allegiance

## 2. Approval of Agenda

- Items to be Pulled or Added

Scot H. stated that Mr. Earle Bidez would like to withdraw his conceptual review.

Motion by Jena S., second by Chris M., to approve the agenda as amended. Motion passed 5-0.

*Note: Lauren D. is attending in her status as an alternate. The quorum stood at 5.*

## 3. Approval of Minutes

- July 8, 2020

Lynn T. had a minor technical correction.

Motion by Burke H., second by Jeff A., to approve the minutes of July 8, 2020 as amended. Motion passed 5-0.

*Note: Lauren D. is attending in her status as an alternate. The quorum stood at 5.*

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

No public comment.

## 5. Planning Commission Comments

No Planning Commission Comments.

# DESIGN REVIEW AND LAND USE PUBLIC HEARINGS

## 6. 449 Pine Street – Continuance of Bidez Residence Variance Conceptual Review Patty and Earle Bidez, Property Owners and Applicants

The Owners/Applicants received final plan approval for an addition and major renovation to an existing garage structure in May, 2020. The Applicants now request conceptual review of revised plans that require a variance due to Lot Coverage standards. This conceptual review was reviewed at the July 8<sup>th</sup> meeting and continued to the July 22<sup>nd</sup> meeting.

**Recommendation:** N/A (conceptual review – no formal recommendation or action required)

*This item was pulled from the agenda by request of the applicant.*



7. **261 Main Street – Faircloth Residence Carport Addition Conceptual Review / Variance Request**

**Tom Warzecha, Representative for Heather Faircloth, Property Owner and Applicant**

The Owner/Applicant request conceptual review of plans for a carport addition that requires a variance due to Lot Coverage Standards.

**Recommendation:** N/A (conceptual review – no formal recommendation or action required)

Scot H. introduced the project with Tom Warzecha representing Heather Faircloth. The project will be a two car carport with storage underneath. This project respects rear and side yard setbacks. Lot coverage is where the issue is. The addition onto the kitchen is not an issue. Staff is just focused on the carport. Staff is treating this as a conceptual review. In the Mixed Use Zone District there is 40% lot coverage limit, 45% with commercial and no impervious coverage limit. If existing sheds are taken off the site and we don't count the kitchen on the lower level as it is already calculated, then we are looking at a difference of about 3%. This would require a variance.

Jena S. asked if in this zone district residential is a use by right.

- Scot H. said yes, single family and duplexes are uses by right.

Scot H. said the lot is the nonconforming part as it is 3,750 sq. ft. rather than 5,000 sq. ft. required by the zone.

Tom Warzecha, 221 Main St. Representing the Applicant. The goal of this project is providing onsite parking and making it more adequate. It coincides with the neighborhood when it comes to lot coverage. They can shrink it down but there comes a point where the project isn't viable. Would like to get cars off the street and off of Main St. This is inside the setbacks, the issue is that it is just over lot coverage. The neighboring lots have onsite parking, and six of the seven surrounding dwellings are over lot coverage. He is willing to be flexible, but if it can't even fit in one car then it isn't worth it. The existing garage fronting Main St. is functional, but there is a short curb/pullout onto Main St.

Scot H. asked how big it would have to be to fit one car plus some storage.

- Mr. Warzecha stated that they are kind of at the minimum, maybe flex a foot or two.

Jena S. asked if the driveway is existing or would that have to be installed.

- Mr. Warzecha said there is existing concrete there but there is about 12" that would have to be installed. It follows setbacks though.

Scot H. stated that encouraging people to provide off street parking is a good thing, but we are running up against the coverage limit. We should continue to talk about this issue with the Ch. 16 update.

Burke H. thinks it is a property improvement. The garage on Main St. is nonfunctional as you easily run into anyone walking by. This alleviates that. He is not concerned with the 3% and thinks it is a good idea.

Jeff A. doesn't have a problem with the 3%. He is interested to know when the sidewalk project came through did they allow for a driveway in the front, curb cut? He thinks it is an improvement, the access off of Boulder St. is much better, and getting two cars off Main St. is a benefit. He doesn't like that this is a variance. He would suggest when this comes back through to try and find a way to work this into the 45% allowable due to the mixed use code. This is another issue where it makes perfect sense, but because of the 40% they can't meet the threshold for the variance and thus can't grant the variance.

- Mr. Warzecha said there is a curb cut but it is not a good access point.

Scot H. said this would make a huge difference to change in the update to the code. The balance between encouraging people to invest in their property, in this case increasing safety, versus why 40% is better than 45%. If we had the ability to change the code first that would make him feel more comfortable. At the end of the day it would be hard to meet the criteria for a variance.

Jeff A. pointed out that the Bidez residence was in a residential zone so the situation is not completely the same. The fact that it is a small lot, anything you put on the lot bumps up the percentage points a lot quicker. He is all for having the discussions sooner rather than later about increasing 40% to a higher percentage as we won't be able to grant the variance.

Jena S. agreed with Jeff A. There is a need for consistency, but we have very unique lots in Town. She would love to incentivize people to stay on their property and enjoy their lot. What is an extraordinary circumstance as a home rule? If there are more than 50% on one block in this situation, maybe the Town could do an overlay district. We should work with that so that they stay in Minturn. Whether it is through zoning and code flexibility. Is our code hurting or helping the special properties in Town? She would like to see minimum lot size decrease from 5,000 sq. ft.

Chris M. agreed with everyone. He would like to see this happen. That block of Boulder has a lot of cars parked there. We need to look at changing those percentages as it would be nice to see this happen without a variance.

Lynn T. stated that we aren't talking about a big amount, but she can't see just being able to approve it until Chapter 16 has been addressed.

- Scot H. said it wouldn't be ready until fall.
- Mr. Warzecha said that it sounds like they should wait until Chapter 16 finishes and then go from there.

Lynn T. said that the solution would be to shrink it down to a one car garage. Would the bottom be storage as well?

Jeff A. stated that assuming it is a carport, it is a 3 sided structure.

- Mr. Warzecha said it may have open window options, but there will be a garage door so can enclose.

Jeff A. pointed out that it is the square footage of the roof that is being counted, not the square footage of the building.

- Mr. Warzecha said he would like to have architectural features and have the overhangs.

Jeff A. said that if the code changes and this works, then isn't there issue of snow storage. Public Works recommended it be snow melted as there is nowhere to put the snow.

- Mr. Warzecha said that the owner would not be adverse to a heated drive, but there is no weight issues.

Scot H. said that Public Works Supervisor Arnold Martinez is all in favor of this, but also reminding everyone that we need to think about snow storage. How do we get better at snow storage and snow management? Parking is a premium and snow storage is a premium.

Jena S. debated snow blowers vs. snow melt. A snow blower is worse than snow melt when it comes to emissions and that is even less than the snow loader. The driveway could be brick for the snow melt system which provides aesthetic qualities.

Mr. Warzecha stated they will wait until the code is finished.

- Scot H. thinks that is the safest bet.

Jena S. would like to fix potential issues for the benefit of homeowners that live in Minturn because if we grant this variance then the neighbor would come in wanting the same.

Mr. Warzecha said they are willing to wait or willing to apply, whatever the Planning Commission would like.

Lauren D. approved of the project, but doesn't know that Tom would be granted the variance as it would create inconsistencies. It is important to have Chapter 16 be done so that there is a transparent process for the public

Five minute recess called 7:28 pm.

Meeting restarted 7:34pm.

Public Comment opened.

Nathan Parrish, 232 Main St. He is happy with the direction things have taken in the Planning Commission discussions in the near past. He likes the context of increasing lot coverage. They were in an awkward position as they didn't apply for a variance. They do have a small nonconforming lot. He is better conscious of where the Planning Commission is going and where Chapter 16 discussions are. When comparing to the project they were attempting to present there might be contextual inaccuracies, but he supports this garage.

**8. 540 Taylor Avenue – Engel-Perkins Final Plan Review**

**Allie Perkins and Andrew Engel, Property Owners and Applicants, with Representative Weston Bierma, Range Mountain Homes**

The Owners/Applicants request final plan review and approval for 540 Taylor.

**Recommendation:** Approval with Conditions

Scot H. introduced the project. It is a new home being proposed at 540 Taylor. A new single family structure is being proposed which is similar to other homes seen in the area. It is a modular construction on a poured foundation, very similar to other homes approved in the near past. It might be a little bit over on impervious coverage, but falls within all other standards. Impervious coverage is allowable up to 50%, but is currently at 53% by Staff calculations. A review was done by Intermountain Engineering, the Town Engineer. This is a fairly complete submittal. The one thing that Brad Stempihar Town Engineer noticed was that the driveway is too wide for Town standards. If the applicant shrinks the size of the driveway a bit, then that also helps them with their impervious coverage limit and opens up area for snow storage. Staff is recommending approval with conditions. There is one encroachment into the side yard setbacks subgrade.

Weston Bierma, Range Mountain Homes. He knew they were right on the line for snow storage, but wanted to design something that fits the neighborhood and adjacent properties. Drainage will be picked up by physical drainage. The deck will sit above so there will be pervious area below, but can shave off the driveway. This is a 3 bed, 3 bath residence. The people living here will be full time residents. They want to be a part of the community. They wanted to capture the solar elements. They are not going to bring gas into the property. It has an upstairs large open living space with master suite and kitchen and a deck on back, so the 2<sup>nd</sup> floor is larger than the 1<sup>st</sup> floor. On the lower level there is an office and bedrooms on the south side. Their goal is to break ground and have this set by Thanksgiving. The material is tongue in groove underneath for the soffit, metal stained roof, and mixture of both for siding. Landscaping is coordinated with the neighbor to the north. There is a possibility of adding a fence, but the goal is to incorporate as much landscaping as possible within the narrow setbacks.

Nathan Parrish, 232 Main. Likes project, but sees no place for a battery storage.

- Andrew Engel stated that all electric is better than having a gas connection. Because there is time of use pricing, it is cheaper at night to use electricity. They would only consider battery storage if the whole roof was allocated for solar, however it will be designed to accommodate more solar than originally planned.
- Mr. Bierma pointed out that there is space in the garage to wall mount battery components if needed.

Scot H. laid out recommendation for conditions of approval in the staff report. The Applicant shall revise the site, grading and drainage plans to address comments outlined in a letter by B. Stempihar, Intermountain Engineering, dated July 16, 2020. The Applicant shall revise the site and landscape plans to show a reduced width for the

driveway along with increased landscaping/snow storage areas. The Applicant shall revise the floor plans and elevation drawings to show all proposed exterior lighting fixture locations.

Jeff A. appreciated level of detail and thinks it could fit in very well. They need to clarify the driveway width. There is a lot of thought being given to the neighbors both north and south. As long as it works out with engineering, civil, and grading, this will fit in well. He is very much in favor.

Jena S. agreed with Jeff A. She has concerns because there are two trees right on the water line. If the Town has to go in and repair it they will rip up the trees. Also the roots will come up in the neighbor's property to the north. She appreciates the fire access.

- Mr. Bierma said that the water line should come into the driveway. A new topographic is being done to get existing site conditions.
- Jena S. said she knows you have very narrow side setbacks, but you will be responsible to take care of your trees even if they are on someone else's property.

Burke H. thinks the house looks great and is excited to have some new neighbors. For a 3 bed room what is the parking requirement?

- Scot H. replied 2 spaces.
- Burke H. asked if there is a curb on the dog washing station as that could take out one of the parking spaces in the garage
- Mr. Bierma said that would be easily removable and something that goes up against the wall.

Burke H. would like to confirm that the window well and retaining wall is allowed in the side setback.

- Scot H. stated that if it is below grade then it is allowed. He is more concerned with above grade improvements. One of the issues is the layback of the retaining wall.

Burke H. wasn't aware that you can bump into the setback with part of your structure. When the foundation is dug they will be a couple of feet onto the neighbor's property.

- Mr. Bierma stated that the structure itself is within the setbacks, and only the window well goes into the setback. The retaining wall makes the deck function and is important at holding the hillside and drainage. There is a need to link the components from the north and the south.

Burke H. stated that there will be disturbance to dig for the retaining wall and is concerned about that. For the solar part of it, they might want to think of a solar snow melt. There are issues of keeping snow within property lines currently. The property has been disturbed already, and as it is monsoon season they might want to put some erosion fence up to mitigate that.

Chris M. loved a lot of things about this project, and appreciates staying with electric panels. He asked where the snow storage was.

- Scot H. stated either side of the driveway could be turned into snow storage.
- Chris M. stated that as long as they can follow Staff recommendations, he is all

for it.

Lauren D. thinks it is beautiful and is excited. All questions she had have already been addressed. She recommended the applicants continue to work with Staff.

Lynn T. asked what the calculation of the pervious coverage was.

- Mr. Bierma said they will have to revisit this. They will retool the driveway and the entryway and recalculate.
- Lynn T. pointed out that someone at some point was looking into an Aspen with roots that didn't poke up.

Scot H. asked if the applicants had any questions about the conditions set forth.

- Andrew Engel and Allie Perkins said no.

Motion by Jena S., to approve with conditions 540 Taylor Avenue Engel-Perkins Final Plan Review. Motion died for lack of a second

1. The Applicant shall revise the site, grading and drainage plans to address comments outlined in a letter by B. Stempihar, Intermountain Engineering, dated July 16, 2020.
2. The Applicant shall revise the site and landscape plans to show a reduced width for the driveway along with increased landscaping/snow storage areas.
3. The Applicant shall revise the floor plans and elevation drawings to show all proposed exterior lighting fixture locations.

Motion by Jeff A., second by Burke H. to continue review until August 12 to get confirmation about subgrade encroachments into the side setback.

Mr. Bierma stated that their goal is to get in the ground this year. Their goal is to tie in drainage in existing walls from north to south.

## PROJECTS AND UPDATES

### 9. Project Updates

None

### 10. Planning Director Report & Minor DRB Approvals by Director

- Town Council is curtailing having work sessions. They have moved their meetings start time to 5:30. There were concerns about public access to these work sessions. Now this will be more open to the public. We might want to bump up our start time, but definitely stop work sessions.

### 11. Future Meetings

- August 12, 2020

- August 26, 2020

## **12. Adjournment**

Motion by Jena S., second by Burke H., to adjourn the regular meeting of July 22, 2020 at 8:53pm. Motion passed 5-0.

*Note: Lauren D. is attending in her status as an alternate. The quorum stood at 5.*

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Lynn Teach, Commission Chair

ATTEST:

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Scot Hunn, Planning Director

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



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

**To:** Planning Commission  
**From:** Madison Harris, Planner I  
**Date:** August 7, 2020  
**Re:** 540 Taylor Avenue – Final Plan Review (Continued from 7/22/20)

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Andrew Engel and Allie Perkins request Final Plan approval of a new three-bedroom single-family residence located at 540 Taylor Avenue. At the Planning Commission meeting of July 22, 2020, the Planning Commission expressed concerns about the window-well and the subgrade encroachments into the side yard setback, citing the need for clarification on whether these encroachments were allowed by the code before any approval was granted. The Planning Commission continued the topic of discussion until the Planning Commission meeting of August 12, 2020.

Staff has since looked into the section of Code allowing these encroachments. While references to permissible improvements into side yard setback areas were inadvertently deleted when staff processed an amendment to Section 16-2-50 - *Specific lot requirements and dimensional standards* in February 2020, staff suggests that the provisions of this section are still applicable and will need to be added back into the Code. The following definitions from Article 2 – Definitions, of the Code are applicable to staff’s follow-up on this issue:

***"Architectural features. The following architectural features may not encroach into the side yard setbacks. The following architectural features may encroach into the rear yard setback but must be a minimum of five (5) feet from lot lines:***

- (1) Unroofed terraces or patios, not to exceed forty-eight (48) inches above grade.***
- (2) Chimneys.***
- (3) Bay windows. Bay windows may encroach up to three (3) feet into the front yard setback.***
- (4) Awnings or shading devices."***

The above definition used to contain language stating that such architectural features are not permitted in side-yard setbacks, but are permitted in rear yard areas.

The definition of "Setback" is as follows:

***"Setback means the distance required between the face of a building and the lot line opposite that building face, measured perpendicularly to the building."***



Buildings are defined as:

**"Building means any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of any individual, animal, process, equipment, goods or materials of any kind."**

Given the above, Staff's interpretation is:

1. Setbacks are intended to restrict the placement of *buildings* and other above grade improvements inclusive of the architectural features as listed;
2. Sub-grade site improvements such as window wells or retaining walls do not constitute a "building" or part of a building, nor should they be considered architectural features; and
3. The sub-grade improvements proposed at 540 Taylor Ave. should not be considered buildings or part of the building, are not architectural features and, therefore, should be permitted as proposed within the side yard setback area.

Staff also suggests that the proposed retaining wall is required for proper grading and retainage on the lot and is not connected to the building foundation. It is intended to function as a retaining wall, not part of the foundation of the home.

Therefore, staff believes that the Final Plans for 540 Taylor Avenue **comply** with applicable provisions of Chapter 16 and the Town of Minturn Design Standards (Appendix 'B') of the Minturn Town Code.

In the even the Planning Commission, acting as the Town of Minturn Design Review Board, recommends approval of the Final Plans, staff respectfully suggests the following conditions of approval.

1. The Applicant shall revise the site, grading, and drainage plans to address comments outlined in a letter by B. Stempihar, Intermountain Engineering, dated July 16, 2020.
2. The Applicant shall revise the site and landscaping plans to show a reduced width for the driveway along with increased landscaping/snow storage areas.
3. The Applicant shall revise the floor plans and elevation drawings to show all proposed exterior lighting fixture locations.

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



Minturn Planning Commission  
Chair – Lynn Teach  
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Jena Skinner

## Design Review Board Hearing

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### Engel & Perkins Residence – Final Plan Review 540 Taylor Avenue

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<b>Hearing Date:</b>	July 22, 2020
<b>File Name and Process:</b>	Engel-Perkins Single-Family Residence Final Plan Review
<b>Owner/Applicant:</b>	Andrew Engel and Allie Perkins
<b>Representative:</b>	Weston Bierma, Range Mountain Homes
<b>Legal Description:</b>	Lot 17, Sullivan Subdivision
<b>Zoning:</b>	Game Creek Character Area - Residential
<b>Staff Member:</b>	Scot Hunn, Planning Director

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### Staff Report

#### I. Summary of Request:

The Applicants, Andrew Engel and Allie Perkins, request Final Plan review of a new, three-bedroom single-family residence located at 540 Taylor Avenue. Although the DRB has not reviewed any conceptual plans, the Applicants have been proactive in meeting with Town staff prior to submitting plans for a new home and have provided a relatively complete and thorough set of site, landscaping, and architectural plans allowing staff to conduct a final plan level review of the project.

The plans show a modular structure placed over a poured foundation, with a two-car garage and parking in the driveway. With the exception of a proposed concrete retaining wall located at the rear of the structure, the building and all other improvements are shown within setbacks on this .148-acre (6,447 sq. ft.) lot located within the Game Creek Character Area – Residential Zone District.

The elevation drawings indicate exterior materials and design that comply with the design intent of the Town’s guidelines. Proposed building height is shown at approximately twenty-five (25’) feet above existing grade, while site and landscape plans appear to demonstrate proper grading, drainage and re-vegetation of the site.

The Town Engineer (Brad Stempihar, Intermountain Engineering) has provided comments (attached), with a list of items and issues that must be resolved prior to or concurrent with building permit application. Of note are issues related to overall impervious coverage, driveway width and technical details related to proposed grading, retainage and drainage that should be addressed prior to or concurrent with final review (building permit application).

According to staff’s analysis of development standards and dimensional limitations in Section III below, proposed improvements are generally compliant with setbacks and lot coverage limits, parking requirements, and maximum building height. However, the driveway appears to be wider than allowed by the Minturn Municipal Code, which may also be contributing to impervious coverage limits that appear to be slightly over the 50% allowable amount of the lot covered by building and driveway/impervious materials.

Last, the Town Public Works department suggests that more snow storage areas be shown on the property (on either side of the driveway).

Staff is **recommending approval, with conditions**, at a Final Plan level.

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

This is a Final Plan-level of review for a new single-family residence. This is a formal hearing to allow the Planning Commission, acting as the Design Review Board, as well as staff and members of the public to understand the final details of the proposal; and, for the Applicant to respond to any recommended or requested changes to the plans following Concept Plan review. This is also the time for the Planning Commission to make a formal recommendation to approve or deny the application.

No variances are required or proposed to accommodate the proposed improvements.

### **Approval Criteria and Findings**

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 proposed Final Plans for 540 Taylor Avenue meet the required findings 'a,' 'b,' and 'c.'

### **III. Zoning Analysis:**

#### **Zoning**

The subject property is located within the "Game Creek Character Area" Residential Zone District. The purpose of the Game Creek Residential Zone District is to:

*“(a) The Taylor Avenue neighborhood is characterized by a traditional lot-and-block layout with single-family residences. The residences are typically one (1) and two (2) stories, without buildings and good views to the west. The existing residential neighborhood overlooks the rail yard or the Game Creek PUD Holding Zone.*

*“(b) The purpose of this area is to provide for continued residential use and redevelopment that preserve the small-town residential character and scale of the neighborhood. An objective is to retain the residential areas as a quiet and safe neighborhood while allowing for accessory apartments and limited home-based occupation to encourage permanent residency.”*

*- Town of Minturn Town Code Section 16-12-20*

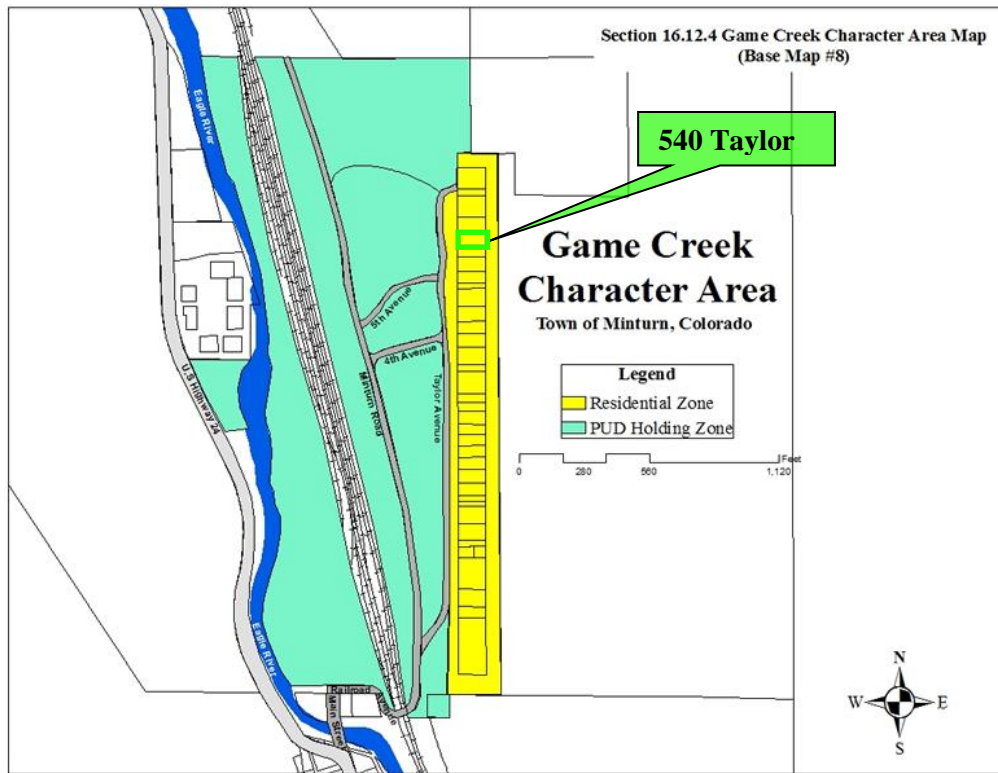


Figure 1: Game Creek Character Area Zoning Map

**Dimensional Limitations and Development Standards**

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

Regulation	Allowed/Required	Proposed/Existing
Minimum Lot Area:	5,000 sq. ft.	6,447 sq. ft. (.148 ac.)
Maximum Building Height:	28 feet	25 feet (approx.)
Minimum Front Setback:	20 feet	20 feet
Minimum Side Setback:	5 feet	5 feet
Minimum Rear Setback:	10 feet	10+ feet
Maximum Lot Coverage:	40% (2,579 sq. ft.)	2,057 sq. ft. (32%) Proposed
Maximum Impervious Coverage:	50% (3,224 sq. ft.)	3,412 sq. ft. (53%) Proposed
Minimum Snow Storage Area:	5% of Driveway (900 sq. ft. x .05 = 45 sq. ft.)	Unknown
Parking:	2 spaces	4-6 spaces

#### IV. Applicable Standards and Design Guideline Criteria:

##### **Design**

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

##### **Final Site, Grading and Drainage Design**

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

The proposed design maintains the structure and roof forms within required setbacks, thus allowing for full use of side yard areas for snow shed and drainage. Likewise, the site plan and final grading and drainage details generally demonstrate that proper (positive) grading will be directed in swales away from the structure; that drainage is handled on the subject property. However, staff questions the amount of layback (excavation) required to construct the proposed concrete retaining wall at the rear of the site – whether this will require grading and backfilling on the adjacent property to the north – and issues detailed in the letter from B. Stempihar, Intermountain Engineering must be addressed prior to final approval (or at building permit submittal).

##### **Mass and Form**

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

*“Buildings and improvements should complement, rather than overpower, the adjacent natural and built environment. Homes are encouraged to be sheltering in nature, with consistent setbacks from the street with prominent porches or overhanging eaves.*

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

*-Town of Minturn Design Guidelines*

Staff believes that the design and scale of the proposed modular structure is complimentary to adjacent properties and improvements and, specifically, that the home will not overpower natural and built environments surrounding the subject property. Given the narrow, linear nature of the lot, staff suggests the Applicants have presented plans that meet the intent of the guidelines, meet the standards of the Town Code with respect to dimensional standards, and make effective use of the lot.

**V. Issues and Areas of Non-Conformance:**

**Outstanding Issues or Required Plan Revisions**

The Applicants and their representative should be commended for providing a generally complete and detailed set of Final Plans that appear to be substantially compliant with Town Code and Design Guideline standards and recommendations.

While staff has identified no major issues that would prevent review and approval of this proposal as a Final Plan, the following items must be corrected and addressed prior to or concurrent with building permit application:

- Address issues identified in a letter by B. Stempihar, Intermountain Engineering, dated July 16, 2020.
- Reduce the width of the driveway to comply with the Town standard 24' width; this should also coincide with a reduction in the overall amount of impervious surface on the lot while providing additional snow storage area.
- Provide details on the site plan (calculations and graphic representation) of snow storage areas.

Additionally, the plans should be updated prior to or concurrent with building permit application to clearly show all exterior light locations.

**VI. Staff Recommendation and Suggested Conditions:**

Staff suggests that the Final Plans for 450 Taylor Avenue **comply** with applicable provisions of Chapter 16 and the Town of Minturn Design Standards (Appendix 'B') of the Minturn Town Code.

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

1. The Applicant shall revise the site, grading and drainage plans to address comments outlined in a letter by B. Stempihar, Intermountain Engineering, dated July 16, 2020.
2. The Applicant shall revise the site and landscape plans to show a reduced width for the driveway along with increased landscaping/snow storage areas.
3. The Applicant shall revise the floor plans and elevation drawings to show all proposed exterior lighting fixture locations.



July 16, 2020

Scot Hunn  
Town of Minturn Planner  
PO Box 309  
Minturn, CO 81645

Re: Survey and Engineering Completeness Review For DRB Submittal Package  
540 Taylor Ave., Minturn, CO 81645

Our comments based on plan review for the above referenced project are as follows:

Surveying:

1. The Topographic Survey included appears to be missing information and does not meet the minimum requirements per Town Code Appendix C 1.04. Please provide an updated Topographic and Boundary Survey, including Title Report for final approval.

Engineering:

1. Please check drawing and viewport scale, indicates 1" = 10', but the plan does not scale correctly and needs correction for final approval.
2. No Soils Report included, provide for final approval.
3. Coordinate with utility provider for overhead electric removal or relocation across lot and protection requirements of existing pole at edge of driveway. Provide documentation from utility provider for existing overhead removal or relocation and utility easement vacation for final approval.
4. The proposed asphalt driveway width of 30.0' exceeds the 24.0' allowable width for residential driveways per Town Code Appendix C 2.03(G). Driveway width to be revised or a variance from the Town shall be requested for final approval.
5. Missing slope labels on some drainage pipes, add additional information for final approval.
6. No proposed utility information or plans included, provide location, sizing, and elevations as applicable for utility provider review and final approval.
7. No erosion and sediment control information provided on grading and drainage plan per Note #2, please include information on plan per Town Code Appendix C 1 for final approval.
8. Retaining walls depicted greater than 4.0' in height. Provide stamped engineered plans by a qualified wall designer in the State of Colorado for final approval.
9. There appears to be +/-5.0' of elevation difference from the top of existing wall to the proposed 8" Nyloplast inlet at the southeast corner of the of the building. Is the intent to remove existing backfill material from the behind the wall to obtain these grades? Provide additional grading contours and spot grade information along the southerly wall for final approval.



General Information:

1. There is an existing retaining wall shown on southerly property line, is there an encroachment easement for it? Also, the contour grades on the plans do not represent a wall, was this surveyed?
2. General Information: There appears to be 3,412 SF of impervious area within the 6,430 SF lot or 53%. Per Town Code Section 16-2-40 Table 16-A, allowable lot impervious coverage is 50%. Please provide a breakdown summary if deemed complaint or adjust site improvements to meet code for final approval.
3. General Information: The Architectural Plans depict a landscaping buffer between the street and entrance patio/steps, please confirm this area has been changed to asphalt as indicated on the Grading Plan?
4. General Information: Water and Sewer taps will be required for final approval.
5. General Information: Stamped Architectural and Structural Plans will be required for final approval.

Please feel free to contact me if you have additional questions.

Respectfully,  
Inter-Mountain Engineering (acting as Town Engineer)



Brad Stempihar, PE

Town of Minturn  
Development Review Process:  
Guide To

# Design Reviews

*This guide describes the **Design Review** process. This guide should be utilized in conjunction with the Town of Minturn Zoning Regulations, Town of Minturn Comprehensive Plan and the guide to Pre-Application Review.*



**PLANNING AND ZONING DEPARTMENT**  
302 PINE STREET / PO BOX 309 MINTURN, COLORADO 81645  
PHONE: 970-827-5645 FAX: 970-827-5545  
<http://www.minturn.org/government/zoning.html>



# LAND DEVELOPMENT APPLICATION

TOWN OF MINTURN PLANNING AND ZONING DEPARTMENT

P.O. Box 309 302 Pine Street

Minturn, Colorado 81645-0309

Phone: 970-827-5645

Fax: 970-827-5545

Email: planner@minturn.org

<b>APPLICANT:</b>		<b>ADDRESS:</b>		<b>SIGNATURE:</b>	
Andrew Engel & Allison Perkins		7751 E 6th Ave, Denver, CO 80230			
				<b>NAME:</b>	
		<b>PHONE:</b> 202-823-1064	<b>FAX:</b>	Andrew Engel & Allison Perkins	
		<b>EMAIL:</b> andrewlloydengel@gmail.com		<b>TITLE:</b> Property Owner	
<b>OWNER(S) OF RECORD:</b>		<b>ADDRESS:</b>		<b>SIGNATURE:</b>	
Andrew Engel & Allison Perkins		7751 E 6th Ave, Denver, CO 80230			
				<b>NAME:</b>	
		<b>PHONE:</b> 202-823-1064	<b>FAX:</b>	Andrew Engel & Allison Perkins	
		<b>EMAIL:</b> andrewlloydengel@gmail.com		<b>TITLE:</b> Property Owner	
<b>DEVELOPER:</b>		<b>ADDRESS:</b>		<b>CONTACT PERSON:</b>	
General Contractor		5197 Black Gore Drive B4 Vail, CO 81657		Weston Bierma	
Range Mountain Homes					
Weston Bierma and Mike Hood		<b>PHONE:</b> 970-471-8314	<b>FAX:</b>		
		<b>EMAIL:</b> Weston@rangemountainhomes.com			
<b>ENGINEERING FIRM:</b>		<b>ADDRESS:</b>		<b>CONTACT PERSON:</b>	
Alpine Engineering (Civil)		Please see respective plans			
Smart Pads (Struct & Arch)		attached for contact information			
HP Kumar (Soil & Material Testing)		<b>PHONE:</b>	<b>FAX:</b>		
Dennis Anderson (Landscape)		<b>EMAIL:</b>			
<b>Submittal Date</b>		July 10th, 2020	<b>Planner:</b>		
<b>Parcel ID Number</b>		2103-262-08-001	<i>(Example: 210326325001) from your full card printout</i>		
<b>Address or Intersection</b>		540 Taylor Street			
<b>Brief Legal Description</b>		LOT 17, SULLIVAN SUBDIVISION, ACCORDING TO THE AMENDED FINAL PLAT RECORDED MAY 12, 2005 AT RECEPTION NO. 915586, _____			
<b>Subdivision Name &amp; Filing #</b>		EAGLE COUNTY, STATE OF COLORADO			
<b>Project Description</b>		Single Family Residential - Engel Perkins Residence			
		<b>Existing</b>		<b>Proposed:</b>	
<b>Zoning:</b>	Single Family Residential - Game Creek Character		Single Family Residential - Game Creek Character		
<b>Land Use:</b>	Single Family Residential		Single Family Residential		
<b>Total Acres:</b>	.148 Acres		.148 Acres		
<b>F.A.R./Density:</b>					
<b>Project Name:</b>	Single Family Residential - Engel Perkins Residence		Single Family Residential - Engel Perkins Residence		
<b>Related Case #'s:</b>					
<b>CASE TYPE</b>					
<b>PUD CDP: Concept Dev. Plan</b>		<b>PP: Prelim. Subdivision Plat</b>	X	<b>DRB – P: Des. Rev. Bd. Prelim</b>	<b>A-FP: Fence Permit</b>
<b>PUD PDP: Prelim. Dev. Plan</b>		<b>FP: Final Subdivision Plat</b>	X	<b>DRB – F: Des. Rev. Bd. Final</b>	<b>A-MOD: Modification/Add</b>
<b>PUD FDP: Final Dev. Plan</b>		<b>MS: Minor Subdivision</b>		<b>ADM: Admin. Des. Review</b>	<b>A-MIN: Minor Ext. Mod.</b>
<b>PUD ASP: Admin. Site Plan</b>		<b>ASR: Admin. Subdivision Replat</b>		<b>A-SIGN: Admin. Sign Review</b>	<b>ANNEX: Annexation</b>
<b>PUD FDP A: Amendment</b>		<b>V: Vacation of Easement</b>		<b>A-DIG: Admin. Dig Permit</b>	<b>TU: Temporary Use</b>
<b>LU-V: Land Use – Variance</b>		<b>R.O.W. Vacation</b>		<b>A-DEMO: Admin. Demo Per.</b>	<b>CU: Conditional Use</b>
<b>NU –V: Non Use – Variance</b>		<b>REZ -Rezoning –Straight Zoned</b>		<b>A-LTD: Admin. Limited Use</b>	<b>APPLS: Appeals</b>
<b>This section for OFFICE USE ONLY</b>					
<b>Case No:</b>		<b>Case Mgr.</b>		<b>Case Eng.</b>	
<b>Fees Paid</b>	Y	N	\$	<b>Dates Referred Out</b>	
<b>Dates to be Returned</b>				<b>Planning Comm Date:</b>	

## SUBMITTAL REQUIREMENTS / CHECKLIST

App.      Staff

           **Application Form** (Please fill out the Form and Return with the Packet)

           **Application Fee** (Non-Refundable application fee shall be collected)

- Variance                      -- Conditional Use                      -- Temporary Use                      -- Design Review Board
- Concept Plan                      -- Preliminary Plan                      -- Final Plan                      -- Preliminary Plat
- Final Plat                      -- Amended Final Plat                      -- Minor Subdivision (6 lots or less)
- Vacation of Public Easements or Rights-of-Way

           **Letter of Intent** (As Detailed as Possible)

- What is the purpose of the project including;
  - Relevant Background
  - Current Status of the Site
  - All Proposed Uses and Structures
  - How the Proposal Differs from what already exists
  - Information regarding Easements or Dedicated Tracts, etc.

           **Vicinity Map**

- Directional Map indicating how to get to the Property involved in the request.

           **Sketch Plan**

- Please show as many of the following as possible;
  - Current and Proposed Zoning **No change requested, refer to Vicinity Map Exhibit**

- Maximum Densities/Units/Acreage
- Building Heights and Setbacks
- Natural Features
- Amount and Location of Open Space
- Street Lay-Out and Access
- Internal Traffic Circulation
- Type and Location of Proposed Uses
  - Retail
  - Single or Multi-family Residential
  - Commercial
  - Industrial

Refer to Site Plan Exhibit

           **Preliminary Building Plans and Elevations**

- Indicates Dimensions
- General Appearance
- Scale
- Interior Plan for the Buildings

           **Improvement Location Certificate of Survey (ILC or ILS), as appropriate**

           **Site Plan showing Precise Nature of the Proposed Use**

- Topography
- Building Location
- Parking Plan

- Traffic Circulation
- Usable Open Space
- Landscaped Area
- Utilities
- Drainage Features



### **Elements needed on the Site Plan**

- Scale
- North Arrow
- Date Prepared
- Proposed and Existing Street Pavement
- Location and Width of Existing and Proposed Access Points
- Location of Existing Driveways and Intersections
- Approximate Location of Existing Wooded Areas and Rock Outcrops
- Location and Type of Existing and Proposed Easements
- Lot Dimensions, Area, Entire Site Acreage
- Landscape Plan



### **Architecture Details**

- Window
- Door
- Siding
- Shingles, etc.

# PLANNING COMMISSION DESIGN REVIEW PROCESS

Applicants requesting a Design Review Board, Planning and Zoning Commission, and/or Town Council Review must submit to a pre-submittal conference and complete a formal application. The pre-submittal review process is completed within a period of 14 working days depending on the day of pre-submittal. The pre-submittal review provides valuable information regarding Town requirements for the formal application.

## The Town Planner shall have the following powers and duties:

- **Zoning Compliance** – To review, consider, and approve, approve with conditions, or deny applications for building permits, limited use permits, conditional use permits, and temporary use permits based on compliance with this Section.
- **Process Applications** – To receive applications for development permits for processing pursuant to the terms of Section 16 of the Minturn Municipal Code.

## Planning Commission as Design Review Board

### Powers and Duties

The Planning Commission is hereby established as the Town of Minturn Design Review Board. The Design Review Board shall have the following powers and duties under the provisions of this Code.

1. To prepare, or cause to be prepared or amended, the Design Review Standards and Guidelines or any element or portion thereof, for adoption by the Town Council.
2. To hear, review, consider and approve, approve with conditions, or disapprove applications for Design Review Approval.
3. To hear and decide upon appeals on design review decisions made by the Zoning Administrator.

### Board Procedure

The Town staff will forward applications (other than minor design applications), and recommendations, to the DRB.

The DRB shall review the application and supporting material submitted by the applicant, as well as the staff recommendation. After review, the DRB, through a formal motion, seconded and passed by a majority of the members present, shall take one of the following courses of action:

1. **Table the application.** The application may be tabled for a period not to exceed thirty (30) days if the application is incomplete or if the DRB determines that changes are required to bring the application into compliance with design standards and guidelines or other regulations of the Town. The Board may specify additional requirements for the applicant is to bring to the future meeting. These requirements may include additional information necessary to determine whether the application complies with all zoning, building, design codes adopted by the Town, and may include plans, reports, surveys or other documents completed by registered architects, surveyors, engineers or other professionals in order to indicate conformance with such codes. The DRB may also table the application if it determines that changes in the application are required which would bring the proposed project into compliance with zoning, building, design codes, and other regulations of the Town.
2. **Conceptual/Preliminary approval.** The DRB may grant conceptual approval to applicants who in a general fashion appear to meet design and other regulations of the Town but submit applications inadequate to warrant final approval. Conceptual approvals are also appropriate where a complete application has not been submitted, or where an applicant wishes to obtain a preliminary review of a sketch plan. A conceptual approval does not deem final approval of an application, nor does it deem that an application conforms to design or other regulations, nor shall it bind the DRB to grant final approval to a completed or final application.
3. **Disapproval of application.** If an application is found to conflict with the purposes and/or any one (1) or more of the design guidelines, codes or any other regulations of the Town, the DRB shall disapprove the application. Any disapproval shall be in writing and shall specifically describe the reasons upon which the disapproval is based.

**4. Approval of application.** If the application is complete and is found to comply with the design standards and guidelines, codes and other regulations of the Town, the DRB shall approve the project. The DRB shall keep a record of all such approvals, and the applicant should keep a copy of the approval. The DRB may approve an application with conditions or modifications. The DRB shall not approve an application that does not meet the requirements of the Town or any other provision required to ensure compliance with the design standards and guidelines, codes and other regulations of the Town.

***If a motion for approval, for conceptual approval, or to table an application results in a tie vote, the motion will fail.***

## **DESIGN REVIEW CRITERIA**

### **1. SITE DESIGN**

Site planning involves the design and location of buildings and other improvements on a property. General principles include the maximization of site attributes such as views and solar orientation while minimizing adverse impacts to adjacent properties and natural features. Design of the building(s) shall consider the following criteria:

#### **a. Natural Features**

##### ***(1) Topography***

A building site that is flat or gently sloping at less than 10% shall comply with applicable minimum standards for setbacks as defined in Chapter 16.

A building site that slopes at greater than 10% is urged to consider “stepping” the structure rather than grading the site to allow for traditional building layout. The intent is to avoid large cuts and/or fills as well as retaining walls, and to avoid the need for additional erosion control measures.

Setbacks may be increased for lots that slope greater than 30%.

##### ***(2) Water Bodies***

Setbacks from water bodies shall include consideration of the Eagle River, tributary creeks, ponds, and wetlands. In addition to the regulatory setbacks, the Town of Minturn encourages conformance with the Eagle River Watershed Plan and sensitive design to protect the riparian areas and to utilize the water bodies for passive recreational purposes. The Town discourages “turning your back” on the Eagle River, one of Minturn’s greatest assets.

Site grading and drainage plans shall be submitted with design review applications that are adjacent to or within fifty (50) feet of a water body.

#### **b. Orientation**

The orientation of improvements shall consider adjacent properties as well as snow storage, snow shedding, and solar orientation. Another important component of orientation is drainage impact to adjacent properties, water bodies and streets.

##### ***Snow Storage, Snow Shedding and Solar Orientation***

The atmospheric and weather-related elements common of the Town of Minturn justify the added dimension of siting improvements to minimize the impact of the environment.

Adequate snow storage area(s) or provisions for removal shall be provided. The total area may be broken up or provided as a whole. Location within the required setbacks shall be permitted provided it does not impede adequate and safe access to the structure(s). Landscape areas may also be used for snow storage purposes.

Snow shedding shall be considered in the use of material and pitch of the roof, as well as the location of windows, door and walkways. In no case shall snow shedding be permitted to occur onto an adjacent property.

Solar orientation shall be considered in the siting of the structures as well as in the landscaping of the lot or parcel. Orientation of the structure, as well as placement of trees, can be utilized to block prevailing winds in the winter and to provide shade in the summer. The structure should be placed on the lot in a manner that will not cast substantial shadows over adjacent properties. Walkway and driveway location shall consider snowmelt in determining their location. These considerations include locating driveways, walkways, and structures, so that they are sheltered from the wind, and oriented to the east or south, where possible, to aid quicker snow and ice melt.

The front of the structure and its primary entrance shall be oriented to the street.

### **c. Massing and Scale**

A simple central form with additive features shall be designed. This style creates visual interest and is appropriate for the community due to its compatibility with existing structures.

Buildings and improvements should complement, rather than overpower, the adjacent natural and built environment. Homes are encouraged to be sheltering in nature, with consistent setbacks from the street with prominent porches or overhanging eaves.

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

## **2. ARCHITECTURAL ELEMENTS**

### **a. Roof Pitch and Form**

Roofs are a very prominent visual element and can be used to provide strong unifying characteristics between buildings. The use of consistent roof form, materials, slope and direction can create a cohesive appearance to a neighborhood even when the architectural styles vary. Roof pitch and form are an important element of building design in the Town.

The incorporation of dormers into the roof form can be utilized to provide individual identity and to create and delineate upper living areas or lofts. Dormer roofs shall be similar in slope and material with the primary roof form. See Illustration.

Roofs shall be designed with consideration to snow accumulation and shedding. Entryways, garages and pedestrian areas shall be protected from potential snow shedding.

Chimneys may also be utilized as a unifying element. The size, location, and shape of chimney can be mimicked to provide a common feature in adjacent structures that have different architectural styles.

### **b. Facade**

Vast expanses of a blank facade are not considered appropriate in Minturn due the mass and scale of the existing buildings in the Town. Therefore, facades must be interrupted every 15' at minimum. This interruption can occur through the use of projections and recessions for doors and windows, balconies or porches or any other element that creates visual interest. The use of architectural elements such as horizontal and vertical architectural details and floor articulation (delineation of 'floors' in a building) can be utilized to create a vertical human scale to the structure.

Windows and doors offer the opportunity to provide individual character and refinement of scale by introducing openings and patterns on otherwise blank walls. Consideration should be given to locating doors and windows in order to establish symmetry on primary facades, while being responsive to interior functions and views. The location of windows and doors can also be utilized as a unifying element with adjacent structures.

In order to maintain a smaller scale and to avoid the use of vast expanses of large windows, window openings should be composed of multiple panes of glass that are consistent with the scale of the building. Mirrored or reflective glass is prohibited.

Shutters and window boxes are encouraged to create visual interest and to reinforce the Town ambiance.

### **c. Building Details**

The requirement for a simple building form allows for the introduction of building details to create character and interest. These details may include elements such as accents to doors and windows, porches, gates, dormers and chimneys.



### **3. MATERIALS AND SCREENING**

#### **a. Materials**

The use of building materials is essential to the design and appearance of a structure, therefore the use of materials is indicative of the adjacent community character. Materials shall be consistent with adjacent properties and the natural environment. The Town of Minturn does not seek to limit or prohibit the use of specific building materials, however the use of non-reflective materials are strongly encouraged. Highly reflective roofing materials are not allowed.

The historic character of Minturn is exhibited in the use of wood siding and native stone, therefore the use of these particular materials are encouraged. Many modern equivalents can be found which mimic the natural materials, and the Design Review Board may approve such materials if their appearance is found to be compatible with adjacent material and consistent with the intent of these standards and guidelines.

#### **b. Streetscape and Landscape Design**

Small towns evoke many images, but one that appears to be consistent with many residents is the neighborliness of the area. Porches, plaza, parks and simply strolling down the street allow neighbors and visitors to meet and greet each other and to get to know one another. The Town encourages the man-made elements that promote these activities, and in some instances the Design Review Board shall require the provision of streetscape improvements to encourage and reinforce the small town atmosphere.

Porches and awnings are encouraged for all residential design as these elements create and encourage a human scale that is consistent with the small town image. Commercial structures, particularly those that are located in renovated residential units, shall maintain these elements and incorporate the use of pedestrian walkways, street furniture such as benches and trashcans where possible. Commercial developments that exceed 2500 square feet of gross leasable area shall be required to provide a plaza area that incorporates these elements.

Landscape standards are defined in Section 16.17.14, 15 and 16 and shall be reviewed with all applications for design review. Compliance with the minimum standards defined within those sections shall be required. The Design Review Board shall review the list of plant material to be utilized, particularly for determination of irrigation requirements. Exhibit B lists plant materials that are suitable for use in the Town, drought-resistant and therefore their use is encouraged. Other plant materials listed that require substantial water and therefore the Design Review Board may require the provision of an irrigation system and the provision of collateral to assure its completion.

#### **c. Screening**

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

The screening may occur with landscaping, compliant with Section 16.17.14. 15 and 16, or these uses may be screened with fencing or by containing the uses within a structure or parapet walls. Fences shall not exceed 3-feet in height for opaque fences and 4 feet in height for fences with you can see through. Higher fences may be used to screen the sides and rear of the lot but should not exceed 6 feet in height. In no case shall a fence or screening structure obstruct a driver's view of an intersection.

**Additional information regarding the Design Review processes and guidelines including the Character Areas can be found in Chapter 16, Appendix B of the Minturn Town Code.**

# Engel/Perkins Residence - 540 Taylor Street

Minturn, CO



## Minturn Design Review July 22nd, 2020 Agenda

Application Prepared By:

Cairn Consulting

Michael Hood & Weston Bierma

m.hood@cairnconsultingservices.com

970.331.4492

w.bierma@cairnconsultingservices.com

970.471.8314

On Behalf of:

Andrew Engel & Allison Perkins

7751 E 6th Ave, Denver, CO 80230

202-823-1064

[andrewlloydengel@gmail.com](mailto:andrewlloydengel@gmail.com)

# Letter Of Intent

## 540 Taylor Street

540 Taylor street is an undeveloped lot within the Game Creek Character Zoning of Minturn. This parcel lies on the East side of Taylor St. and is one of the last remaining undeveloped parcels within the GC zone. The lot currently has an abandoned utility pole and line that will be removed prior by its respective utility company (Assumed to be CenturyLink at this time). Additionally the property appears to have been an area in which excess soils have been deposited in years prior giving it a different topography than the immediate lots. Based on soils testing by HP Kumar the top 2-5' is non-native spoils, below that is native soils with fairly typical bearing capacities of the area. This should not pose an issue as the driveway will dictate the foundation elevation, which will be below the top soils recommended for removal by HP Kumar.

### Existing Conditions of 540 Taylor



The proposal set forth is for a single family residential home with a tuck under two car garage similar in size and massing to the adjacent structures on the East side of Taylor St. The design intent is to create a mountain modern home in a manner that will compliment adjacent properties. This parcel, along with the adjacent parcels, are a shotgun style lot with short setbacks

and long depths. Due to the lot size and location, floor plan options are more limited. The driveway and height requirements further restrict the design to a rectangular shape.

The home is being built as a primary residence in which the owners have greatly considered the solar gain potential of the lot prior to purchase for the opportunity to be environmentally friendly by electing to install a PV system to power both home and autos. As such we have provided our proposed PV plans as a supplement to the Design Review at this time. Additionally we fully intend to absorb the sun light and minimize night time light pollution. The owners plan to select dark sky compliant fixtures and hope that future development considerations adjacent will help to preserve the natural beauty of the night sky.

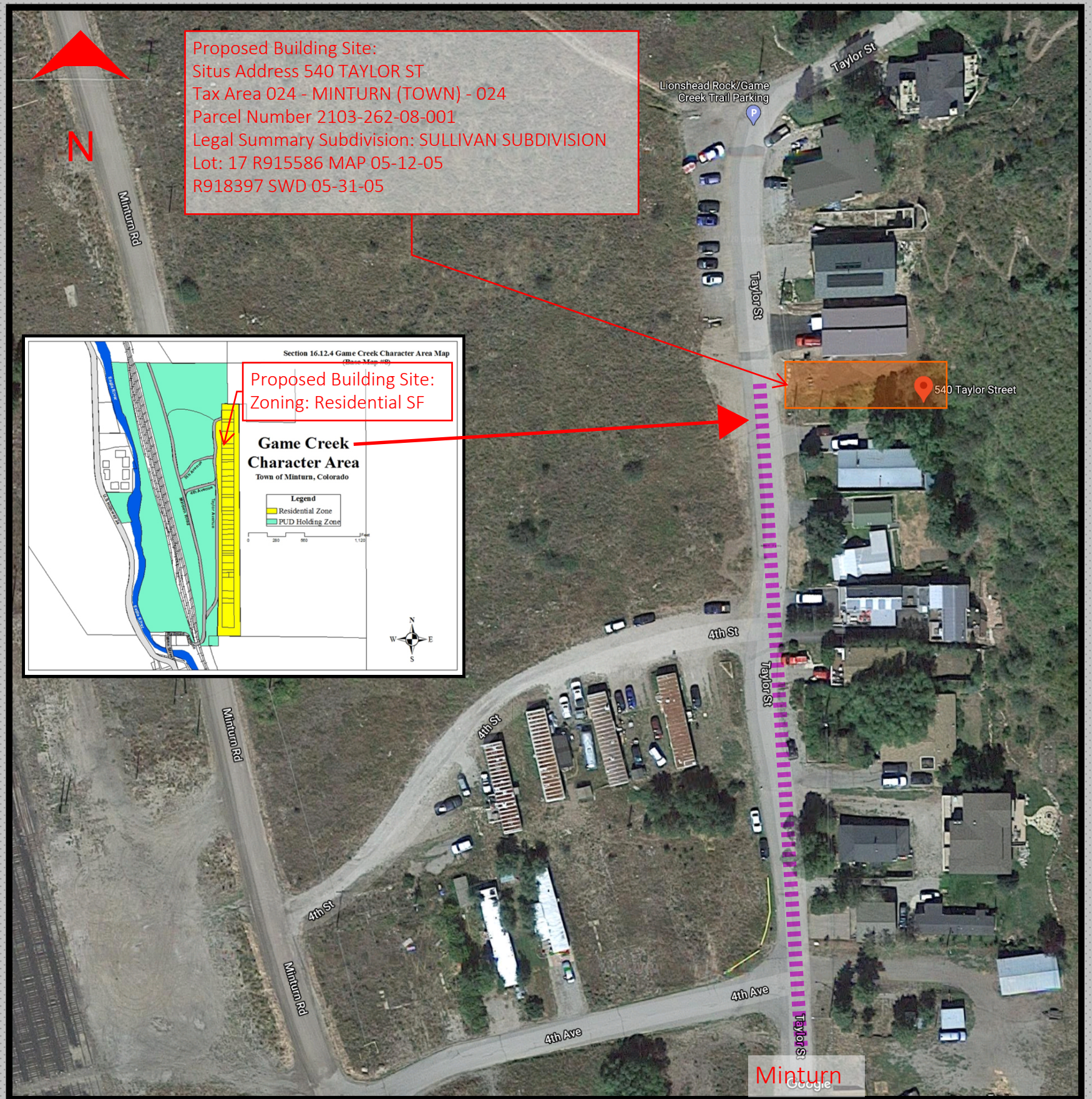
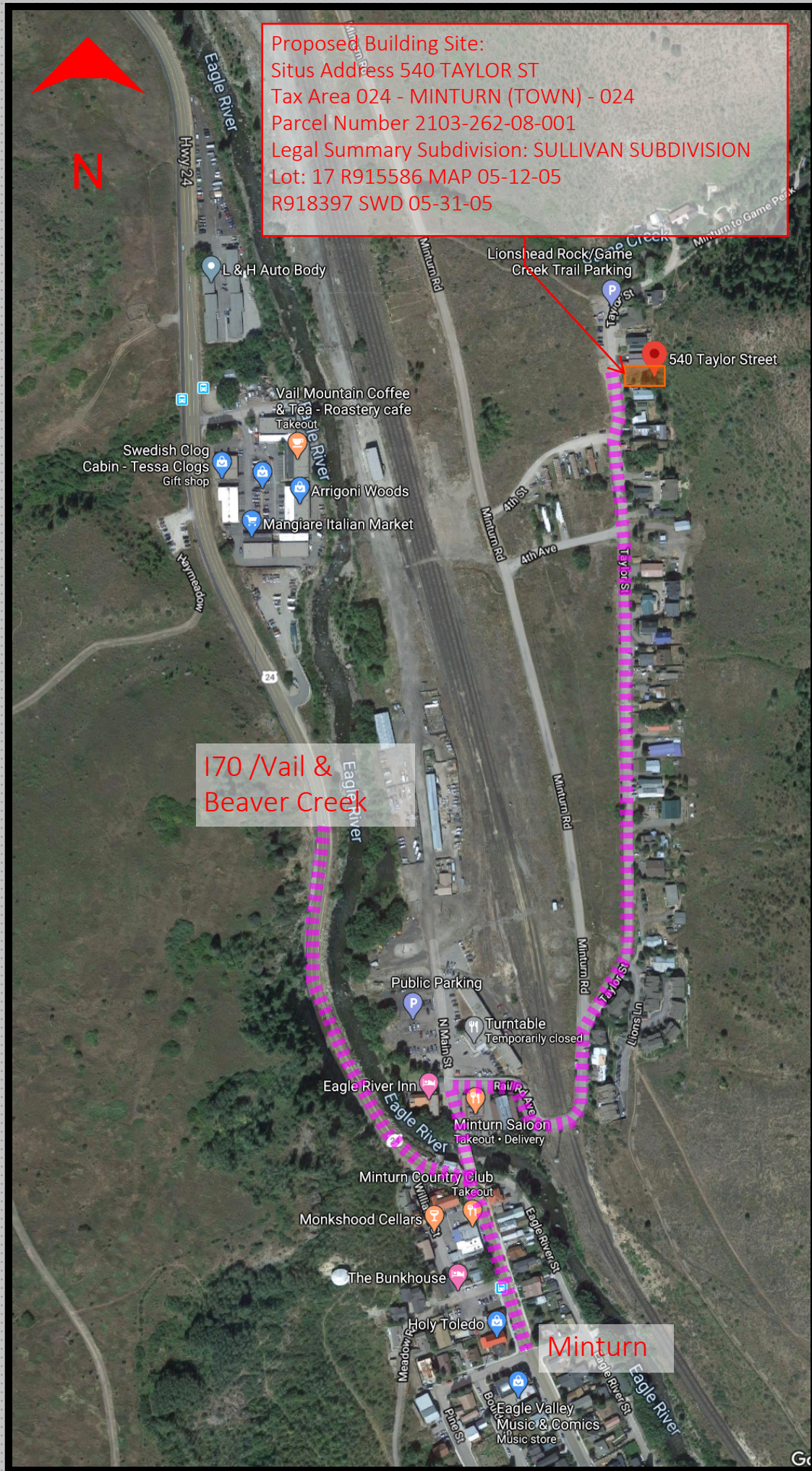
At this time we do not believe that any new easement agreements are required. As noted above the removal of abandoned utilities are the only pre-existing foreseen issues.

Thank you,

Michael Hood & Weston Bierma  
Cairn Consulting



# Vicinity & Zoning Map



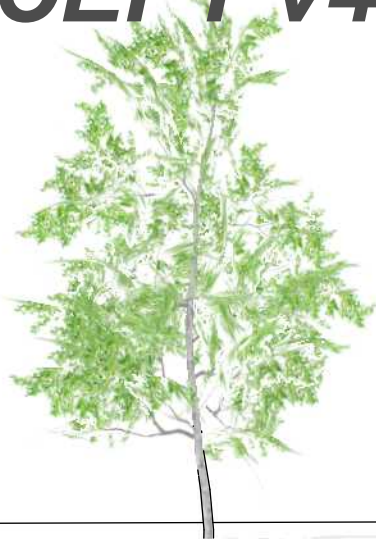
540 Taylor Street  
Minturn, CO 81645





ENGEL1100

# CONCEPT v4.1



## PERSPECTIVE

BUILDING COVERAGE: 2,057 SQ. FT. (1,935 SQ. FT. + 0.5\*244 SQ. FT.)  
 GARAGE: 466 SQ. FT.  
 DECKS: 501 SQ. FT.  
 FINISHED SQ FT: 3,119 SQ. FT.  
 TOTAL SQ FT: 4,086 SQ FT.  
 LOT SIZE: 6,431 SQ. FT.  
**LOT COVERAGE: 31.99%**

SHEET	DRAWING INDEX
01	COVER PAGE
02	PERSPECTIVES
03	SITE OVERVIEW
04	MAIN FLOOR PLAN
05	UPPER FLOOR PLAN
06	FRONT ELEVATION
07	RIGHT ELEVATION
08	LEFT ELEVATION
09	REAR ELEVATION
10	INTERIOR PERSPECTIVES







FRONT RIGHT VIEW



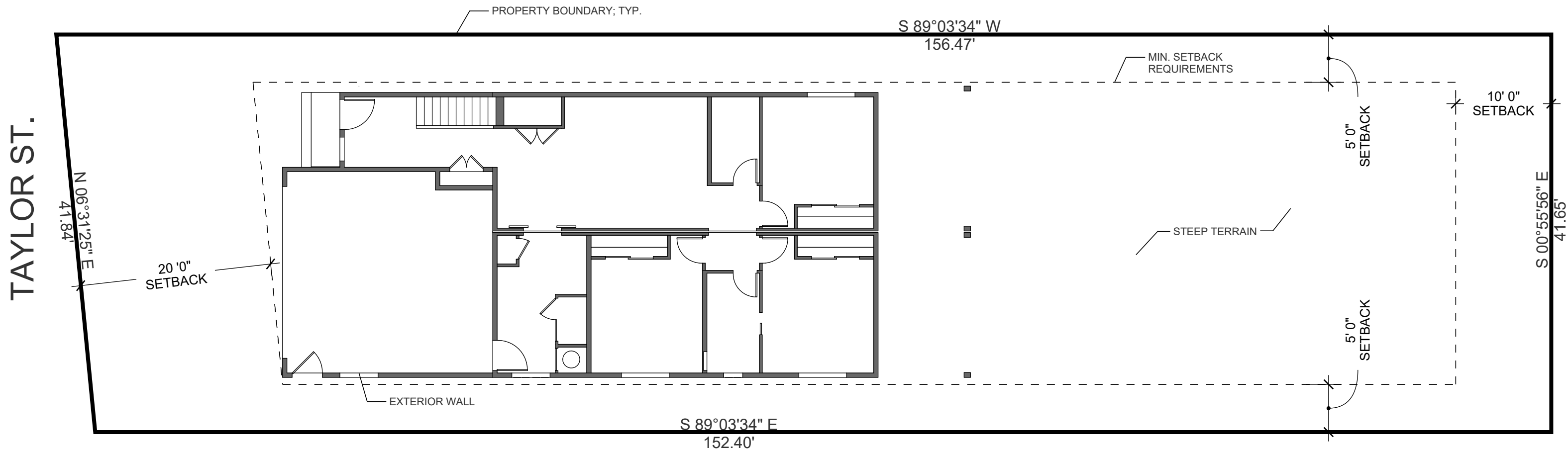
FRONT LEFT VIEW



BACK RIGHT VIEW

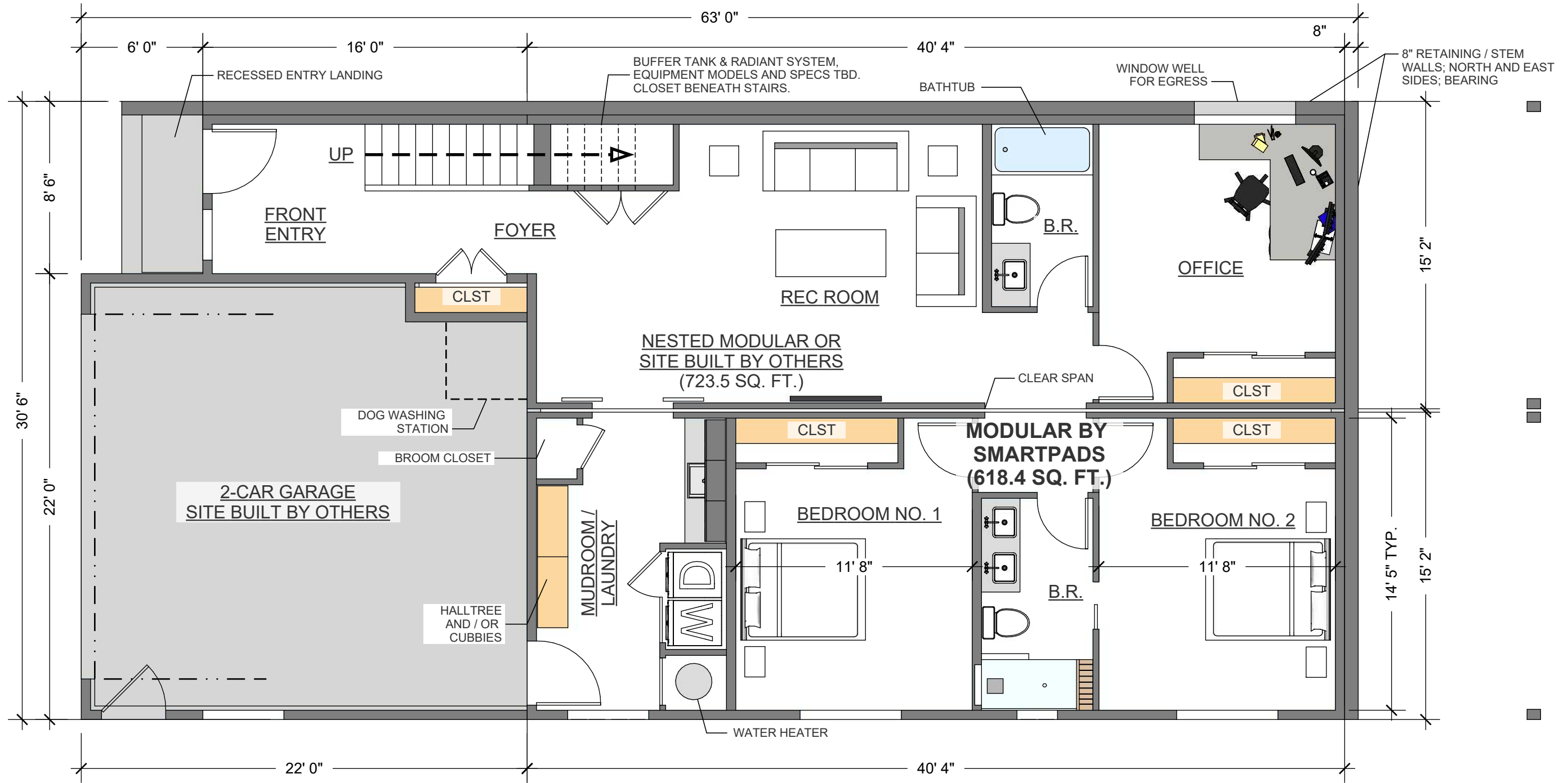


BACK LEFT VIEW

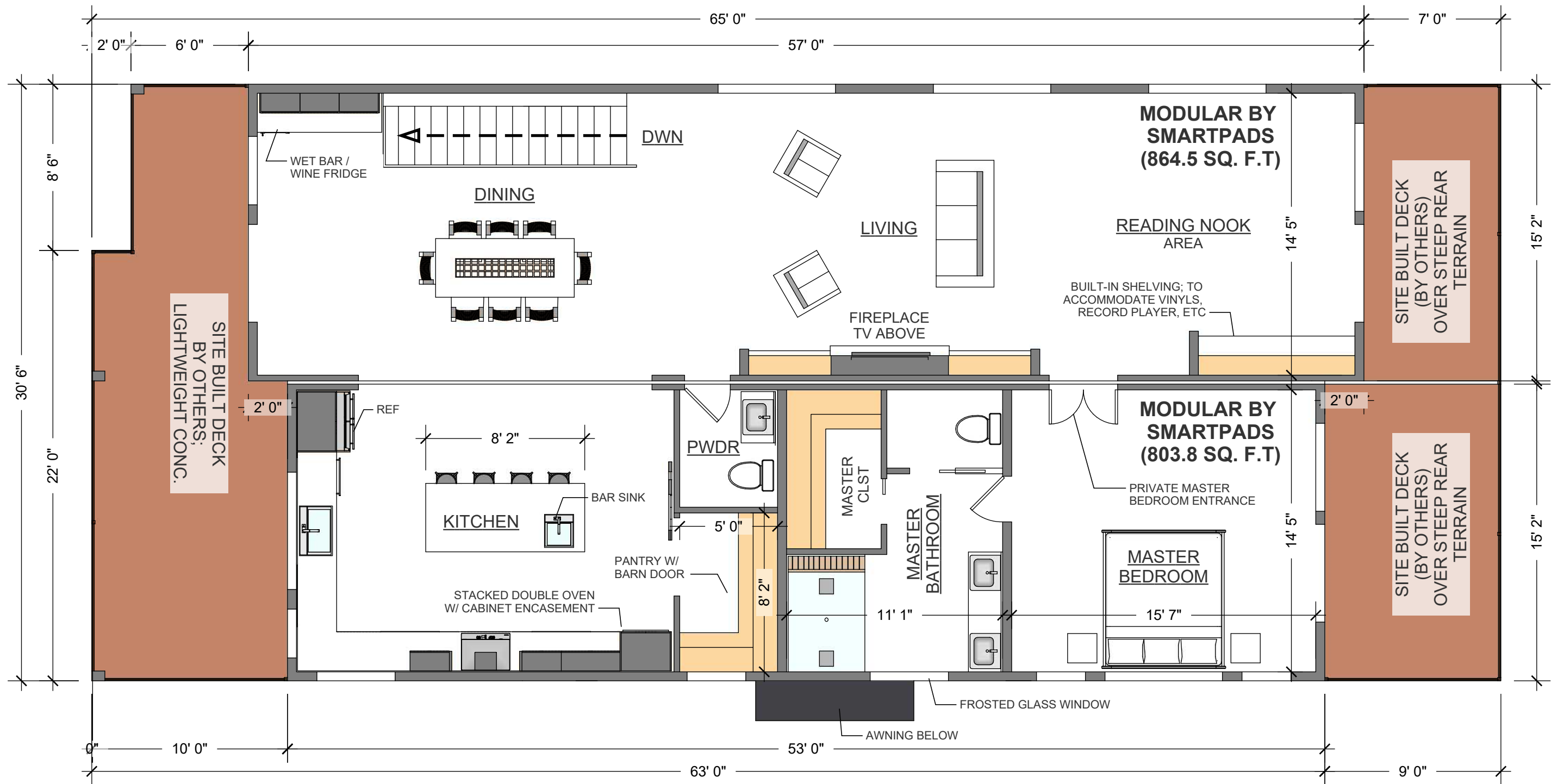


## SITE OVERVIEW





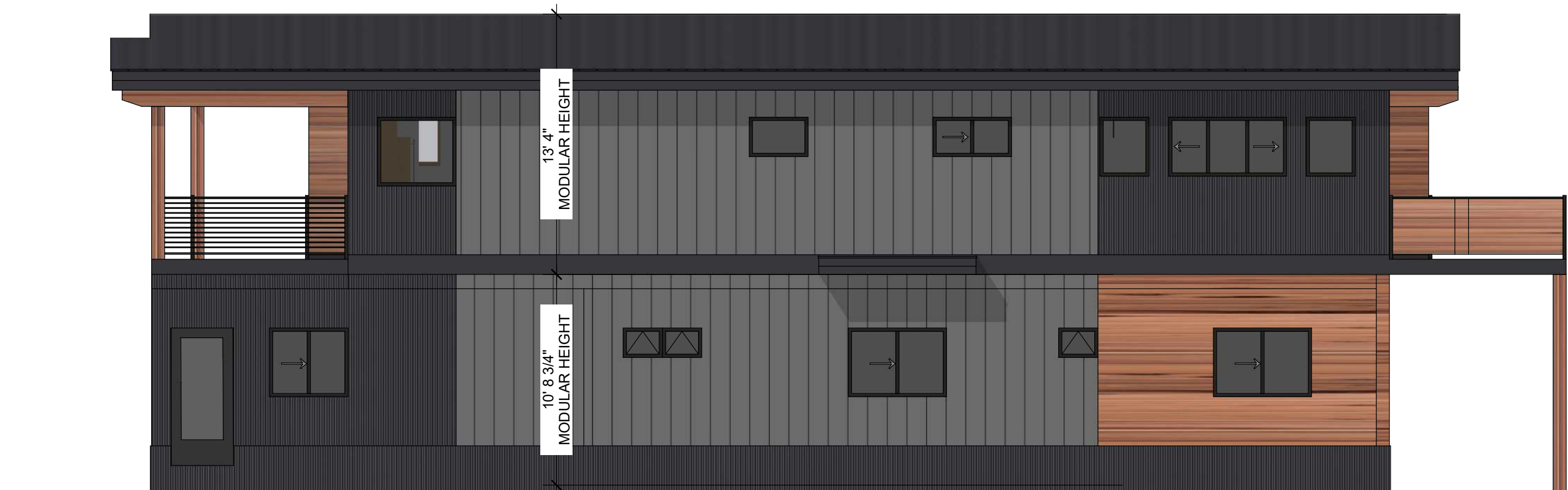
# MAIN FLOOR PLAN



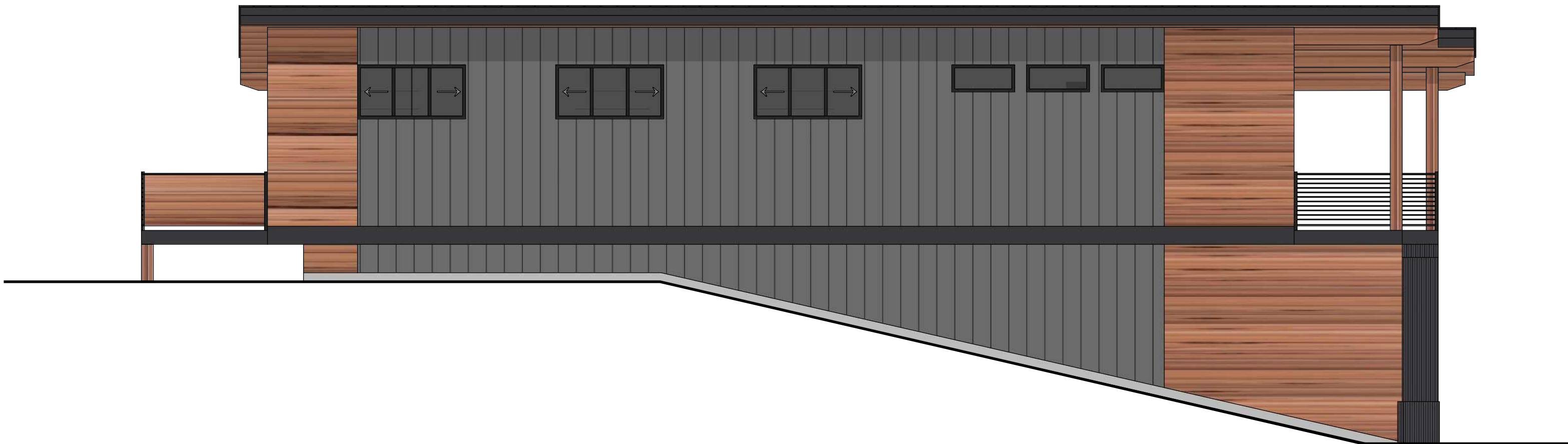
# UPPER FLOOR PLAN



# FRONT ELEVATION



# RIGHT ELEVATION



# LEFT ELEVATION

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## REAR ELEVATION

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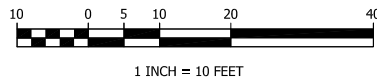
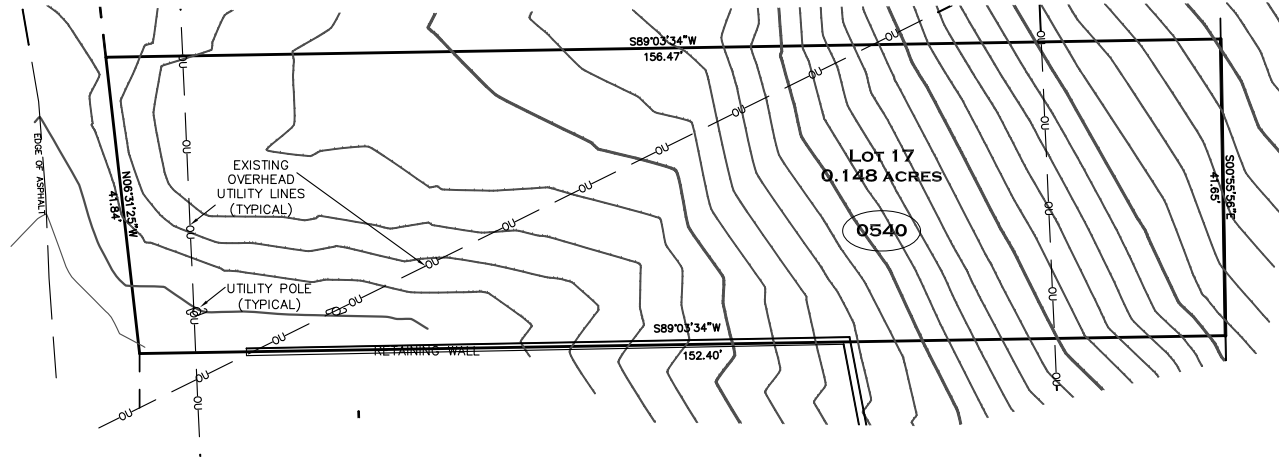
INTERIOR PERSPECTIVES

# TOPOGRAPHIC MAP LOT 17, SULLIVAN SUBDIVISION, TOWN OF MINTURN, COUNTY OF EAGLE, STATE OF COLORADO

LEGAL DESCRIPTION:  
LOT 17, SULLIVAN SUBDIVISION, ACCORDING TO THE AMENDED  
FINAL PLAT RECORDED MAY 12, 2005 AT RECEPTION NO. 915586,  
EAGLE COUNTY, STATE OF COLORADO

**NOTES:**

- 1) Street Address: 0540 Taylor Ave.
- 2) Legal description record easements, setbacks, and record deed lines were derived from the herein referenced Plat. Improvements and apparent deed line locations are based upon monuments, or other boundary evidence, found during the time the fieldwork was performed. Professional field notes were used in the production of the document. We recommend a boundary survey due to missing lot monument(s).
- 3) Date of Field Work: JANUARY 2020.



Theodore J. Archibeque PLS 37902  
Colorado Professional Land Surveyor

**Archibeque Land Consulting, Ltd**  
~ Professional Land Surveying & Mapping ~  
115 Broadway - P.O. Box 3893 Eagle, Colorado 81631  
970.328.6020 Office 970.328.6021 Fax  
INFO@PROLANDSURVEY.COM

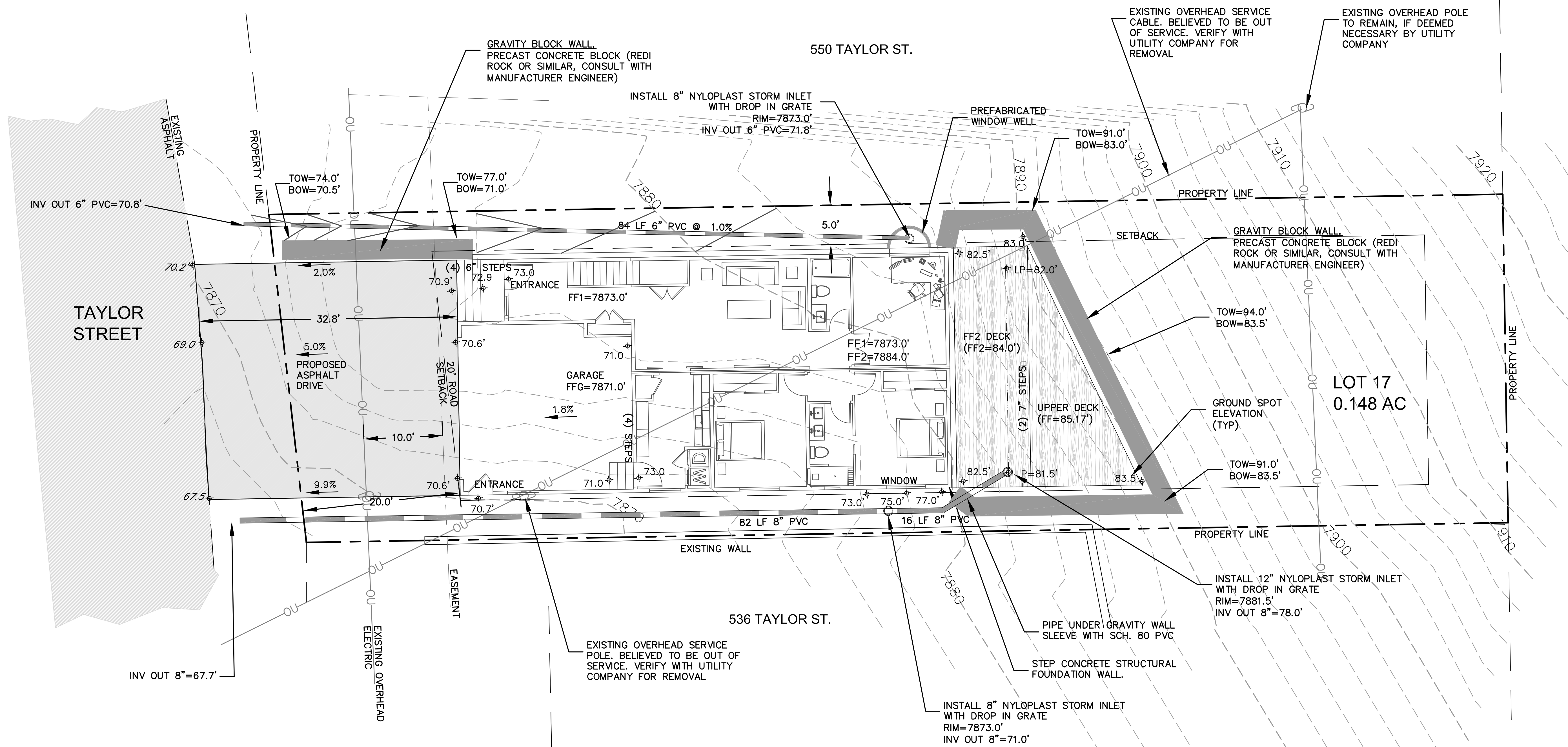
IMPROVEMENT LOCATION CERTIFICATE LOT 17, SULLIVAN SUBDIVISION COUNTY OF EAGLE, STATE OF COLORADO			
DRAWN BY:	TJA	JOB NUMBER:	17136
		DRAWING NAME:	17136_topo.dwg
SHEET	1 of 1	DATE:	02-10-2020
		CHECKED BY:	MSS

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 herein. Additionally, this document is prepared for the sole purpose of use by the parties stated herein. The improvements are generally situated as shown and only apparent (visible at the time of fieldwork) improvements and encroachments are noted. Archibeque Land Consulting, Ltd., its owner(s) and employee(s) will not be liable for more than the cost of this document, and then only to the parties specifically shown herein. Acceptance and/or use of this document for any purpose constitutes acknowledgment and agreement to all terms stated herein.

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**540 TAYLOR STREET**  
**ENGEL RESIDENCE**  
**MINTURN, CO**  
**GRADING PLAN**



TOPOGRAPHIC INFORMATION WAS PROVIDED BY TED ARCHIBEQUE LAND SURVEYING

**TOWN NOTES**

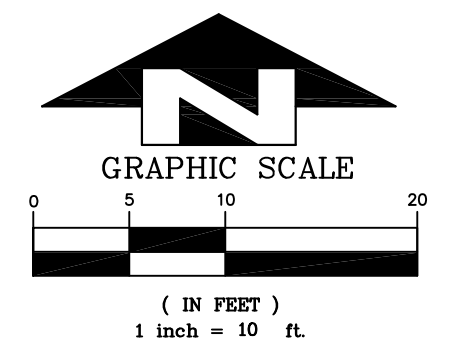
1. Town of Minturn plan review is only for general conformance with Town of Minturn design criteria. The Town is not responsible for the accuracy and adequacy of the design, dimensions, and elevations which shall be confirmed and correlated at the job site. The Town of Minturn, through the approval of this document, assumes no responsibility for the completeness and/or accuracy of this document.
2. All construction will conform to the Town of Minturn Engineering Standards and Specifications, latest revision.
3. All materials and workmanship shall be subject to inspection by the Town. The Town reserves the right to accept or reject any materials and workmanship that does not conform to the Town Standards and Specifications.
4. The Contractor shall notify the Town of Minturn 24 hours prior to the beginning of construction.
5. Location of existing utilities shall be verified by the Contractor prior to actual construction. For information, contact Utility Notification Center of Colorado, 1-800-922-1987.
6. The Contractor shall have one signed copy of the plans (approved by the Town of Minturn), one copy of the appropriate Standards and Specifications at the job site at all times, and a copy of any permits and extension agreements needed at the job site at all times.
7. The owner/developer must obtain the written permission of the adjacent property owner(s) for any off-site grading or construction.
8. Concrete shall not be placed until the forms have been inspected and a pour slip issued. Pour slips will not be issued unless the Contractor has, at the job site, a copy of the approved plans bearing the signature of the Town Engineer.
9. Standard Town of Minturn curb ramps are to be constructed at all curb returns, at all "T" intersections and at all curbside kiosks or clusters.
10. All elevations are (indicate top of curb or flowline) unless otherwise noted.
11. The Town of Minturn shall not be liable for the maintenance of (insert name of specific private improvement). These facilities may not meet town standards and are to remain in private maintenance in perpetuity.
12. The contractor/developer is responsible for contacting CDOT to ensure that all work on or adjacent to state highways or CDOT R.O.W. meets CDOT requirements.

**GENERAL NOTES FOR SEDIMENT CONTROL**

1. CONTRACTOR SHALL SUBMIT A CONSTRUCTION STAGING & MANAGEMENT PLAN IDENTIFYING CONSTRUCTION FENCING, STAGING, STORAGE & CONSTRUCTION TRAILER LOCATION PRIOR TO COMMENCEMENT OF CONSTRUCTION ACTIVITIES.
2. INSTALL AND MAINTAIN SEDIMENT CONTROL MEASURES IN ACCORDANCE WITH THESE PLANS AND AS NEEDED TO PREVENT SEDIMENT FROM DISCHARGING OFF-SITE.
3. ALL PROPOSED SEDIMENT CONTROL MEASURES ARE TEMPORARY MEASURES UNLESS SPECIFIED OTHERWISE ON PLANS.
4. SEDIMENT CONTROL MEASURES MAY REQUIRE FIELD ADJUSTMENTS AT THE TIME OF CONSTRUCTION TO INSURE THAT THEIR INTENDED PURPOSE IS ACCOMPLISHED.
5. PROVIDE REGULAR INSPECTION AND MAINTENANCE OF ALL SEDIMENT CONTROL MEASURES TO INSURE THAT SEDIMENT CONTROL EFFICIENCY IS OBTAINED UNTIL FINAL STABILIZATION OF SITE HAS TAKEN PLACE.
6. INSTALL SEDIMENT CONTROL MEASURES AT THE ONSET OF GRADING OPERATIONS SO THAT EFFECTIVE SEDIMENT CONTROL CAN BE ACHIEVED DURING THE ENTIRE CONSTRUCTION PERIOD.
7. STABILIZE ALL POINTS OF INGRESS AND EGRESS WITH TRACKING PAD DURING CONSTRUCTION TO PREVENT TRACKING OF MUD ONTO PUBLIC WAYS.
8. FOR TEMPORARY STOCKPILES APPLY SEED, HYDROMULCH AND TACKIFIER IMMEDIATELY AFTER THEY ARE CONSTRUCTED FOR STABILIZATION. IF EROSION OCCURS AFTER APPLICATION OF THE TACKIFIER, USE EXCELISIOR C2 EROSION CONTROL FABRIC. INSTALL SILT FENCE BELOW STOCKPILES TO CAPTURE SEDIMENT.
9. THE TERM "REVEGETATION" ON THIS PLAN MEANS THE SUCCESSFUL GERMINATION AND ESTABLISHMENT OF STABLE GRASS COVER FROM A PROPERLY PREPARED SEEDBED CONTAINING THE SPECIFIED AMOUNTS OF FERTILIZER IN ACCORDANCE WITH APPLICABLE STANDARDS AND SPECIFICATIONS. REFER TO LANDSCAPE PLANS FOR SEED MIX, FERTILIZER TYPE, MULCH, TACKIFIER AND APPLICATION RATES.

**LEGEND**

- PROPERTY LINE
- EXISTING CONTOUR
- EASEMENT
- PROPOSED CONTOUR
- PROPOSED GRADING, SLOPE/SPOT
- EXISTING GRADING, SLOPE/SPOT
- PROPOSED STORM SEWER
- PROPOSED BOULDER RETAINING
- PROPOSED ASPHALT



NO.	DATE	REVISIONS	BY
	07/10/2020	PLANNING COMMISSION	MCW

DESIGNED	MW.	DATE	06/04/2020
DRAWN	MW., RIF		
CHECKED	MW.		
JOB NO.	49885		

**SHEET**  
**C1.0**



**PLANTING LIST**

KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE
<b>TREES</b>				
6		<i>Populus tremuloides</i>	Aspen	3.5" Caliper, Clump
<b>SHRUBS</b>				
4		<i>Cornus alba 'Argenteomarginata'</i>	Variegated Dogwood	#5 Containers
6		<i>Cornus stolonifera</i>	Red Twig Dogwood	#5 Containers
3		<i>Cotoneaster lucidus</i>	Peking Cotoneaster	#5 Containers
4		<i>Potentilla fruticosa 'Jackmannii'</i>	Jackmans Potentilla	#5 Containers
-		<i>Rosa glauca</i>	Red-Leaved Rose	#5 Containers
-		<i>Rosa woodsii</i>	Woods Rose	#5 Containers
-		<i>Salix purpurea 'Nana'</i>	Dwarf Blue Arctic Willow	#5 Containers
-		<i>Spiraea japonica 'Froebelii'</i>	Froebel Spirea	#5 Containers
3		<i>Spiraea nipponica 'Snowmound'</i>	Snowmound Spirea	#5 Containers

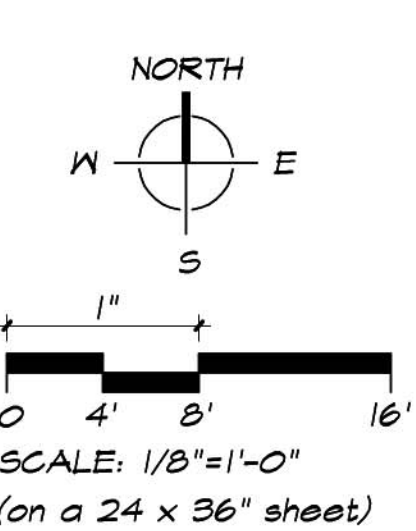
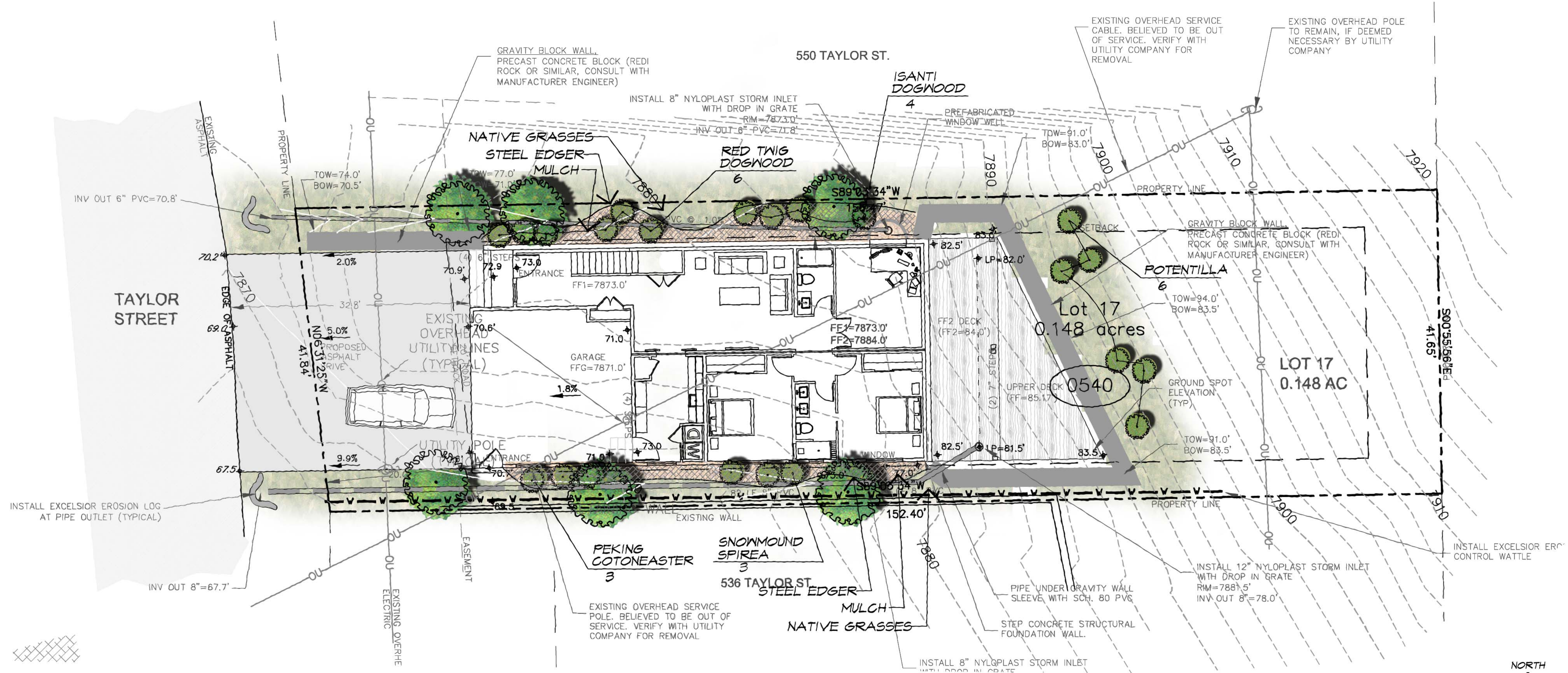
**Grass Seed Mix  
'Mountain Mix' ALL DISTURBED AREAS**

Common Name	Variety
10% Mountain Bromegrass	Bromar
30% Orchardgrass	Palute
10% Canada Bluegrass	Reubens
10% Sheep Fescue	Meklenberger
20% Tall Fescue	Fann
10% Winter Wheat	
10% Timothy	Climax

**Planting Rate**  
60 pounds of pure live seed per acre.  
Substitutions must be approved by owner.

**LANDSCAPE AND IRRIGATION NOTES**

- Contractor shall verify all conditions prior to commencing work and shall be responsible for becoming aware of all underground utilities, pipes, structures, and irrigation lines.
- Existing conditions on West half of Lot 23 are approximate, field noted with the building edge based on the ILC plan. No existing and proposed grades are provided. Contractor to field fit intended concept as required.
- TREE SUPPORT STAKES:** Deciduous trees to be staked and guyed with three 6' green metal T-posts per tree and guyed with #12 gauge wire with green nylon tree straps. Aspen in groups can share stakes providing that each tree is receiving support from at least 3 stakes. Conifer trees to be staked with three 3' metal T-posts with above wire and straps.
- WARRANTEE:** The Contractor shall warrant that all plant materials supplied under this contract will be healthy and in flourishing condition of active growth at the date of final acceptance. Replace without cost to owner any plant not meeting this condition.
- IRRIGATION SYSTEM** is to be a design-build system by the Landscape Contractor. Provide 12" pop-up Rainbird spray heads for perennial & groundcover beds and drip emitters to all new trees and shrubs. Provide below-ground temporary spray heads, zoned separately for all seeded revegetated areas. Provide owner with a as-built plan / plans prior to final review and acceptance. Guarantee system for one year from final acceptance.
- TOPSOIL:** Landscape Contractor to supply and place 1/2" max. screened topsoil to finished grade with the following depths.  
Native Grass areas: 2-4" deep.  
Shrub beds: 4-6" deep.  
Perennial and shrub beds: 10-12" deep.  
Over-excavate and remove any existing soils / construction debris to achieve necessary screened top-soil depths.
- METAL EDGING:** 1/8" thick by 4" wide with a rolled-top is to be placed where sod lawn meets planting beds and as designated on the plan.
- Apply Deer Repellent solution to all new perennials and groundcovers.
- MULCH:** Tree and shrub planting beds are to receive 3" of shredded cedar bark mulch. Perennial, ornamental grass and groundcover areas to receive 2-3" of 'Soil Pep' mulch.
- Planting **BACKFILL MIX** for all trees and shall consist of 80% native topsoil and 20% well rotted compost. Fertilize and saturate root ball with water at time of planting (see details). Apply 'Myke Transplanting Tree and Shrub Mix', (Mycorrhizal Fungi) or Fertillome root stimulator 4-10-3.



540 TAYLOR STREET  
ENGEL RESIDENCE  
MINTURN, CO

DRB REVIEW  
7-7-2020

SHEET TITLE  
**LANDSCAPE PLAN**

SHEET  
**L-1**  
of 1



# Exterior Architecture Details

## Engel/Perkins Residence

### 540 Taylor Street

#### Cedar Siding

Custom Stain



#### Metal Siding

7/8" Corrogated – Matte  
Black



Exterior Lighting  
Dark Sky Compliant  
Design Style TBD



#### Fiberboard Siding

Board & Batten – Steal  
Gray



#### Exterior Doors

Therma Tru Full  
Lite - Black



#### Windows

Anderson 100 Fibrex  
- Black



#### Pine Soffit

Stained To Match Siding



#### Metal Roof

Standing Seam -  
Black



## Photovoltaic Proposal



# ENGEL RESIDENCE

**TAYLOR STREET, MINTURN CO, 81645**

“You have a chance to help our future, TODAY!”

Active Energies Solar, LLC.  
PO BOX 7627  
Avon, CO 81620  
Phone: (970) 306-4233  
Fax: (866) 403-3485  
info@activeenergies.com  
www.activeenergies.com

**REVISED**

**ACTIVE  
ENERGIES  
SOLAR, LLC**

# WHO WE ARE

Active Energies Solar, LLC was founded in 2006 with the vision to provide renewable energy solutions that positively impact our environment and have solid financial returns for our customers – both residential and commercial. By pursuing that vision, we have become one of the most experienced solar companies in the Colorado High Country. We are a locally owned small business, and are a proud member of our community. We have helped hundreds of families and businesses become more energy efficient and environmentally friendly

As part of our mission, we feel it is necessary to address energy efficiency and usage at all levels. For solar installations, we encourage a high level of energy efficiency be achieved prior to installing renewable energy resources. Our Solar Installation team will work directly with our Energy Audit partners to optimize performance of both the PV System and your new home.

## Solar Design and Installation:

Active Energies Solar, LLC is dedicated to promoting energy efficiency in our communities. We provide complete, turn-key solar solutions with all aspects of system design, installation, project management, permitting, rebate assistance and warranty management included. Active Energies is committed to serving you, and our installation experts will be there every step of the way to provide you one-on-one service and answer all of your questions.

## Our Team:

Our team is made up of a group of individuals with a passion for sustainability and green technology. We have over a decade of experience in design, sales and installation of beautiful, clean solar projects. Our professional design team will maximize the production of your system, with a keen eye to the beauty and aesthetics of building the perfect system for your home. Our team of professional installers will make sure that the design vision is realized, and that the project site is safe, clean, and done right!



## MISSION STATEMENT

To be a complete Renewable Energy Company that helps residential and commercial customers reduce their energy consumption and environmental impact through advanced, turn-key solar energy systems.

## COMPANY VISION

We help our customers realize the benefits of renewable energy, such as solid financial returns and a positive impact on the environment, through our unique “Commitment to Solar, Commitment to You” approach. Which means our in-house installation and customer support teams make the process easy and convenient.



# How it Works

## Grid-Tied Solar

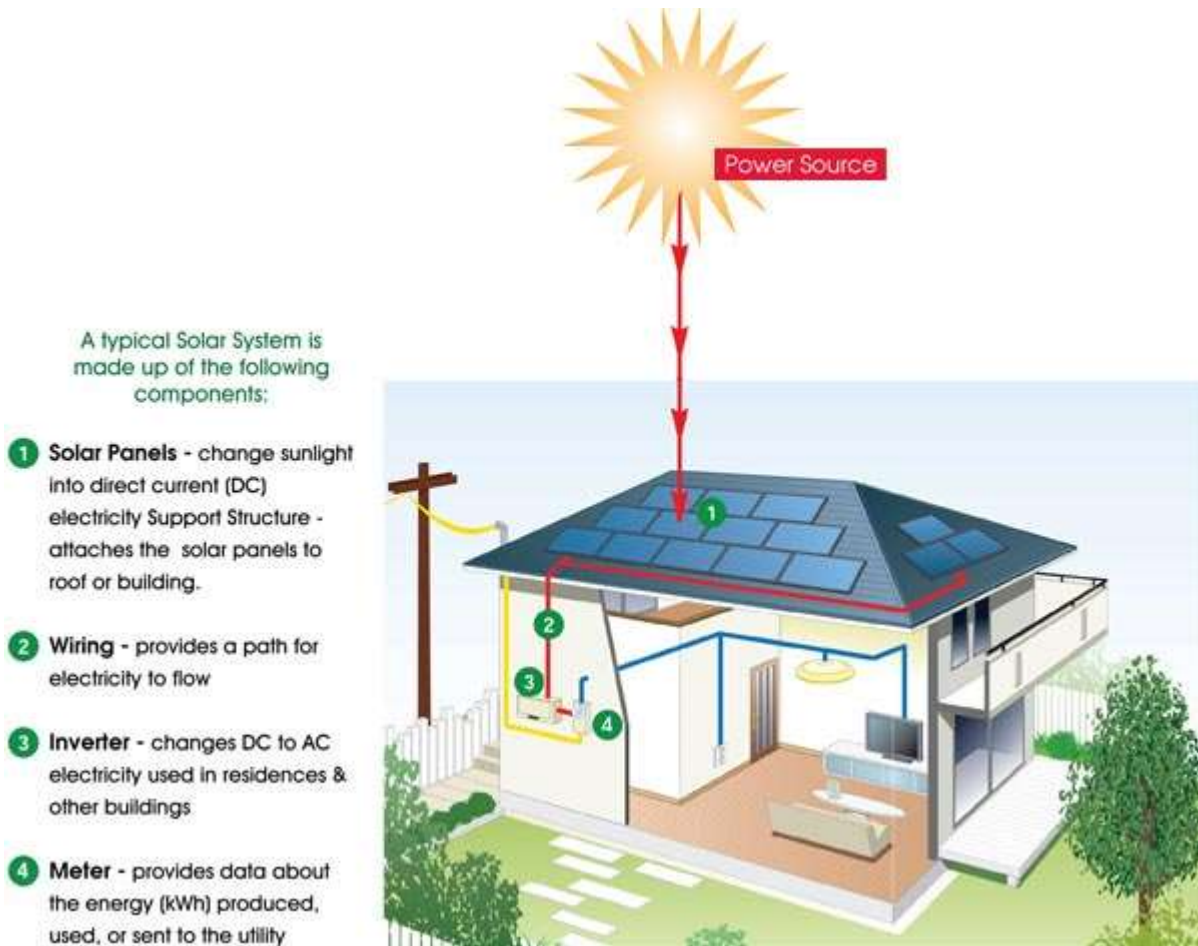


FIGURE 1: SOURCE: SANYO

A grid-tied solar PV system consists of an array of photovoltaic panels connected via an inverter (or micro-inverters) to provide power for your home. During the day, any excess production feeds into the grid, spinning the meter backwards. At night when the solar modules are not producing electricity, the electricity comes from the grid. If enough energy is exported during the day, it will balance or exceed the amount you draw from the grid at night. Grid-tied solar does not have a backup energy source in the event of a grid outage, unless batteries are added to the system.

# System Proposal

The following quotation is for the design and installation of a roof mounted, grid-tied, photovoltaic (PV) system to be located on the south facing roof of the New Engel Residence at XXX Taylor Street, Minturn, CO 81645.

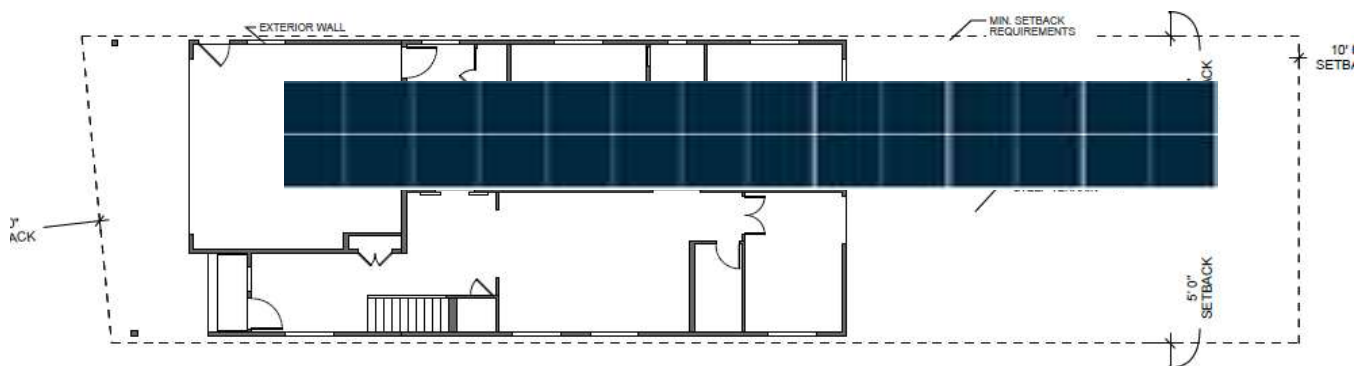
Option 1 - Heliene Panels

**System Size:** 9.45 kW

**Estimated Production:** 13,022 kWh/year (based on PV Watts / not including shading)

**Estimated Offset:** UNKNOWN % of recorded average electrical usage

**System Layout:** Single Panel: 5.53 ft tall X 3.33 ft wide  
Panel Arrangement: 2 rows of 14 panels oriented in the portrait position, mounted flush on the south facing roof



**Figure 2: Proposed Layout**

**Equipment:** Panels: 28 LG315N1K-V5 solar panels @ 315 watts (or equivalent)  
Inverter: 28 SolarEdge P320 optimizers + 1 SolarEdge SE7600H-US inverter  
Mounting Equipment: Unirac racking system with S5! mounting feet  
Monitoring: SolarEdge Remote Energy Monitoring System

**Financials:**

<b>Complete System Cost</b>	<b>\$28,228.00</b>
<b>Federal Tax Credit***</b>	<b>\$(7,339.00)</b>
<b>Net Cost</b>	<b>\$20,889.00</b>

**6.2% Annualized ROI for 25 years**

Final System size is dependent upon HERS ratings and Xcel approval.

\$2.99/Watt Before Tax Credit





### Included in your Photovoltaic System Design:

- Design and full installation of functional, code compliant system, including all required equipment and labor
- Full system documentation including permitting, invoices, instructions and warranty information provided during system installation
- All AC electrical connections, including system interconnection by a Colorado Certified Master Electrician
- All DC electrical work overseen by NABCEP certified staff
- All applicable local, county and state taxes
- Permit procurement and payment
- Facilitation of applicable rebate processes
- Remote Monitoring System
- Financing options are available
- References available upon request

**Logistics:** Upon acceptance of this proposal, Active Energies Solar LLC requires the completion of an installation agreement with a down payment due at signing. This will begin product procurement, permitting and rebate processes. When equipment has been received Active Energies will then install your system according to all applicable codes and complete the AC connection to the grid. At this point the final payment is to be made. The final steps include inspection and approval, net meter installation by the utility company, and final rebate processing. Now, your system is operational and you can start feeding the grid!

Payment Schedule	LG 9.45 kW System
Down Payment	\$14,114
Final Payment	\$14,114
Federal Tax Credit***	-\$76339
Total	<b>\$20,889</b>

*\*Please confirm pricing and panel availability prior to contracting\**

**\*\*\*Federal Incentives:** This quote assumes that applicable rebates will be taken as non-taxable income. A taxpayer may use IRS form 5695, Residential Energy Credits, to claim a credit of 26% of qualified expenditures, less rebates, for a system that serves a dwelling unit located in the United States. If the federal tax credit exceeds tax liability, the excess amount may be carried forward to the succeeding taxable year. Consult your tax professional on the applicability of this benefit.

**Net Metering:** Xcel Energy offers net metering; when more electricity is being produced by your PV system, power is fed to the electrical grid. Your bill is then netted; the electricity you consumed and the electricity feed back into the grid, so you only pay the net amount. If there is a positive yearend balance, Xcel Energy will write you a check for the kilowatt-hour balance times the average hourly incremental cost for the prior 12-month period or you can make a onetime election to carry the balance forward indefinitely. Xcel Energy will require approval of an Interconnection Agreement document to receive their rebate and connect to the grid.

**Customer Insurance Requirements:** The Interconnection Agreement with your utility company, which is signed before net metering installation, requires proof of insurance. This insurance shall be "liability insurance with a combined single limit for bodily injury and property damage of not less than \$300,000 (under 10kW) or \$1,000,000 (over 10kW) per occurrence." This is a standard coverage limit and only a copy of the coverage is required. Please contact your insurance carrier to verify and provide proof of coverage.

**Warranty & Insurance:** There is a 5-year warranty on installation and workmanship, 12-year warranty on inverters and 25-year warranty on the panels and optimizers. A more complete warranty statement is available during contracting. Active Energies Solar LLC carries liability insurance on all work and employees.

### Assumptions:

- No vents or chimneys have been planned for the area designated for the solar array
- Grid-tie connection: A master electrician analysis is required by Active Energies; no charge. All electrical connection costs have been included
- Internet Access: Project IT contractor to supply hardwired internet access at inverter location for monitoring.





## Non-Financial Benefits of Solar:

A 9.3 kW PV system *each year* ([www.solarenergy.org](http://www.solarenergy.org)):



- prevents **8.5** tons of coal from being mined
- prevents **17.0** tons of CO<sub>2</sub> from entering the atmosphere
- keeps **11,907** gallons of water from being consumed
- offsets **25,071** miles from being driven
- is equivalent to planting **57** trees
- keeps NO and SO<sub>2</sub> from being released into the environment
- Knowing that you are taking another step in protecting the environment!
- Help free yourself from the utility company by limiting your exposure to increasing energy costs. Own your electricity instead of renting it.

By 2090, the EPA estimates some Colorado ski areas will see seasons shortened by as much as 80 percent from present-day levels.! This snowpack is essential for our drinking water and recreational snow. We all can do our part to stop the global warming trends. You have the power to reduce your electrical usage, reducing stress on our electrical grid and emitting fewer greenhouse gases.

Thank you again for choosing Active Energies Solar LLC. Our goal is to save you money on your utility bills, while lessening impacts on our fragile environment. With this in mind, please let us know if there is any way we can better serve you.

Best Regards,

*Richard Clubine*

Owner  
Active Energies Solar, LLC  
[rich@activeenergies.com](mailto:rich@activeenergies.com)  
[www.activeenergies.com](http://www.activeenergies.com)



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



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

**To:** Planning Commission  
**From:** Madison Harris, Planner I  
**Date:** August 6, 2020  
**Re:** Chapter 16 Update Project – Summary of Discussions and Proposed Amendments

---

### **Background:**

In the fall of 2017, the Town retained the services of Hunn Planning & Policy to assist the Town Planner in re-organizing and updating certain provisions and sections of Chapter 16 – Zoning, of the Minturn Municipal Code. The objectives of the project were:

1. Eliminate or combine multiple character areas and zone districts (without changing any allowed uses or other zoning or development standards) to reduce the overall number of both character areas and zone districts.
2. Provide one consolidated use table (rather than one use table for each separate character area) and one consolidated table of development standards and dimensional limitations.
3. Re-organize the format of Chapter 16 to allow for more user friendly, logical navigation by staff and end users.
4. Provide new or combined zone districts; the direction from staff at that time was to migrate away from existing, catch-all descriptors (i.e. “residential,” “commercial”) which corresponded with the overarching character areas (e.g. “Old Town Character Area – Residential Zone District”) and towards new categories such as “R-1” or “C-1” based on the type and character of the zone district and based on existing uses occurring within existing zone districts.
5. Provide new zoning maps, color coded to correspond with the newly created zone district descriptors.

Work was completed from 2017 to 2018 to provide an updated Chapter 16 based on the above goals. However, that work (a revised zoning chapter) was never reviewed by the Planning Commission. Although the work completed did accomplish several goals – to reorganize the format of the chapter; combine districts and eliminate character areas; and provide new mapping, none of the text of Chapter 16 was addressed.

As part of this ongoing project the Planning Commission has been engaged since September 2019 in a review of Chapter 16 for the specific purpose of identifying inconsistent or contradictory language; updating development standards and dimensional limitations for certain

zone districts; updating definitions; and, reviewing allowable or encouraged uses in each zone district – work that was not completed during the original project scope from 2017 to 2018.

To accomplish this review in the most transparent manner possible, a total of 13 work sessions were facilitated from September 2019 to May 2020.

October 9, 2019	Districts and Uses
October 23, 2020	Districts and Uses
November 13, 2019	Lot Standards and Requirements (setbacks, lot coverage, and impervious coverage)
December 11, 2019	Lot Standards and Requirements (setbacks, lot coverage, and impervious coverage)
January 8, 2020	Legal Non-Conforming Uses, Structures and Lots
February 12, 2020	Old Town Zoning Development Standards
February 26, 2020	100 Block Existing Conditions and Transportation Study Old Town Residential and Commercial Development Standards and Dimensional Limitations
March 25, 2020	Article 2, Definitions
April 29, 2020	Article 2, Definitions
May 13, 2020	Article 2, Definitions
May 27, 2020	Article 2, Definitions
July 8, 2020	100 Block Building Height and Bulk Plane

The following summary is intended as a review of topics discussed during the multiple work sessions. Notes focused on Article 2 – Definitions, and the 100-Block Building Height and Bulk Plane discussions are still being reviewed and summarized. The summary below is intended to allow the Planning Commission to recall and confirm discussions had during those work sessions and to give staff direction on making final changes to Chapter 16.

**Zone Districts:**

**R-1 (Old Town Residential)**

- Development Standards and Dimensional Limitations
  - Duplexes should be regulated by design standards
  - Solar is fine as an alternative source, but there was concern about the noise that wind turbines make
  - Lot sizes are a concern
- Zone uses
  - Home Business should be a Conditional Use
  - Multifamily should be conditional use
  - Across all residential zones, duplexes and single family should be a use by right, but multi-family should be a conditional use
  - Eliminate “Roadside Stand” as use
  - Day care center should become daycare home for residential zones

**R-2 (South Town and Game Creek Residential)**

- Development Standards and Dimensional Limitations
  - Why a cap on accessory dwelling unit floor area?

- Let design standards and dimensional limitations dictate
- Zone Uses
  - Eliminate “Flea Market” as a use
  - Uses by Right
    - Single Family
    - Duplexes
    - Multi Family – not listed, but could be CUP (both Taylor and South Town)
      - Could do CUP for Duplex and Multi Family in all resident districts
  - No roadside stands
  - No daycare center
  - Day Care Home should be CUP

#### R-3 (Martin Creek Residential)

- Development Standards and Dimensional Limitations
  - Change max building lot coverage from N/A to 20%
- Zone Uses
  - Home business should be permitted as a conditional use
  - Why aren’t duplexes allowed?
  - Limited Review Uses – ok as listed
  - Add Home Business as CUP

#### R-4 (Cross Creek North)

- Development Standards and Dimensional Limitations
  - Will treat Cross Creek North similar to Estate Lots due to size of lots
  - Proposed Min. Lot Dimension (feet): 50
  - Proposed Max Building lot coverage: 40%
  - Proposed Cross Creek North Average lot is 16,596 sq. ft.
    - Existing is 25% lot cover = 4,149 sq. ft.
    - Proposed is 40% lot cover= 6,638 sq. ft.
      - 2,489 sq. ft. difference
- Zone Uses
  - Eliminate “Flea Market” as a use
  - Need to work on definition for Townhouse
  - Cross Creek – R4 – MF – get rid of it
    - Same as R2 – Taylor and South
    - MF as CUP
    - MF to include townhomes, apartments, condos

#### R-5 (Cross Creek South)

- Development Standards and Dimensional Limitations
  - Proposed Cross Creek South R-5
    - Average sq. ft. = 3,659.04
    - Average lot coverage = 41.26%
- Zone Uses
  - Designate this zone as “Cottage Lots” due to size of lots
    - Revise Min. Lot Area: 2,500 sq. ft.

## R-6 (Multi-Family)

- Zone Uses
  - Create Multi-Family zone district to include:
    - Multi-family
    - Trout Club
    - Eagle River Enclave
    - Minturn Townhomes

## MU-1 (Mixed-Use)

- Zone Uses
  - Remove single family and duplexes from permitted uses
    - They would be allowed to continue as pre-existing non-conforming uses unless and until the structure was demolished and/or the use abandoned, at which point future uses would need to meet new code requirements.
  - Maybe think about a Form Based Code or a Hybrid
  - Include Town Hall in this designation rather than in public facilities zone district due to uses (Town offices; apartments; post office)

## C-1 (Grouse Creek, South Town Commercial)

- Development Standards and Dimensional Limitations
  - Grouse Creek commercial area should be separated out from proposed C-1
- Zone Uses
  - It would be easier to just list what we don't want, rather than permitted uses or those permitted via conditional use or limited review

## C-2 (Old Town Commercial)

- Zone Uses
  - The goal of the 100 Block is commercial as primary use

## C-3 (100 Block)

- Development Standards and Dimensional Limitations
  - Combine the commercial across the bridge (Saloon) with the 100 Block

## PF (Public Facilities)

- Zone Use
  - Public Facilities needs to include or accommodate uses in Town Hall (or Town Hall property could also stay within the Mixed-Use Zone); also need PF to include future uses on school district land (Maloit Park)
  - Special events/mass gathering
  - No housing in PF due to rockfall

## Public Facilities Light Industrial

- Zone Uses
  - No roadside stand in PFLI
    - Maybe use a more general term to allow sale of t-shirts, sports drinks, food, etc. as complimentary to new Bike Park and potential events at that site

## PARO (Parks, Recreation and Open Space Zone District)

- Zone Uses
  - Add recreational facilities/mass gatherings
  - Should include Entertainment

## OS2 (Open Space)

- Zone Uses
  - Should add passive recreational uses

## Federal Lands

- Talk with Town Attorney about why we need a zone for land we don't control
- If anything, just have what we would like to see there should the land become available

## **General Comments – Uses in Zones:**

- Can have drycleaners, but with caveats:
  - Natural products
  - Not certain chemicals
  - Maybe just a drop off front
- Get rid of Festival Marketplace
  - We don't have anything to accommodate it
- Flea market could become outdoor market
  - Not great connotations
- Mobile vendors
  - Placed in railyard?
  - Renewal of permit every 6 months
  - No permanent foundation
  - Designate mobile businesses in certain zones at certain times
  - Temporary use
  - Have a limited number of permits available
  - Fee for land use?
  - Need to nail down tax on products sold
- Accessory building/dwelling
  - Limited review in all zone districts
  - Secondary to retail in commercial zones
  - Multifamily should be a conditional use
    - Residential in commercial zones should be conditional use on ground level
      - Permitted use on 2<sup>nd</sup> floor
- Need to come back with intent language
  - Make sure that any decisions made are clear to set precedent and make sure we aren't favoring anybody
  - Suggestion to create new or bolster existing language for each zone district or set of uses to ensure that the "intent" of the district is clear
  - Talk with Town Attorney regarding language to describe intent and permitted uses: "Including but not limited to"
- Suggest elimination of "Drive-thru/Drive-up" commercial uses in commercial or mixed-use districts
  - Not well suited/Nowhere to locate such uses
- Residential in commercial is dysfunctional and breaks up the street
  - Could build shops that look like houses though
- Can get rid of the Game Creek PUD Holding Zone as it is a confusing term

- Maybe be picked up by the 3 Mile Plan or the Comp. Plan

**General Comments – Lot Sizes/Coverage:**

- Suggestion to set “maximum” lot size and to also not require setbacks was discussed
- Need to consider snow storage, drainage, and parking
- Consider density and character of neighborhood when discussing allowances for additional coverage for ADUs
- Flexible setbacks: Base setbacks on existing conditions between properties to ensure proper separation of buildings, but to allow flexibility as long as drainage, utilities and snow storage are properly addressed
- Tie (Community Housing) deed restriction to minimum lot size for locals?
- Pick three different lot sizes and work under the code and see how far down one could subdivide a lot while still meeting requirements for parking and other things.
- Expand special circumstance requirements for a variance?
- Most instances structures don’t comply with setbacks
- Several zone districts do not have impervious standards