



AGENDA

Town Council Regular Meeting I 5:30PM

Wednesday, February 05, 2025

Town Hall / Council Chambers - 302 Pine St Minturn, CO

The agenda is subject to change, including the addition of items 24 hours in advance or the deletion of items at any time. The order of agenda items listed are approximate.

This agenda and meetings can be viewed at www.minturn.org.

MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION:

This will be an in-person meeting with access for the public to attend in person or via the Zoom link included. Zoom Link: <https://us02web.zoom.us/j/89391838702>

Zoom Call-In Information: 1 651 372 8299 or 1 301 715 8592 **Webinar ID:** 893 9183 8702

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

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

1. CALL TO ORDER

2. ROLL CALL AND PLEDGE OF ALLEGIANCE

3. APPROVAL OF CONSENT AGENDA

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

A. 01-15-2025 Minutes

B. Resolution 07 - Series 2025 a Resolution allocating the 2025 Holy Cross Energy Community Enhancement funds

C. 146 North Main St – Minturn Saloon annual renewal of a Hotel and Restaurant Liquor License, Connie Mazza, owner/manager

4. APPROVAL OF REGULAR AGENDA

Opportunity for amendment or deletions to the agenda.

5. DECLARATION OF CONFLICTS OF INTEREST

6. PUBLIC COMMENT

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

7. COUNCIL COMMENTS & COMMITTEE REPORTS

8. STAFF REPORTS

A. Manager's Report

B. Planning Director Report

9. SPECIAL PRESENTATIONS

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

10. BUSINESS ITEMS

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

A. Ordinance 02 - Series 2025 (Second Reading) An Ordinance Amending Chapter 16, Article 17 of the MMC in Regards to Cut-Off Times for Holiday Lighting

B. Resolution 05 - Series 2025, A Resolution Approving a Contract for an Interim Town Manager

C. Resolution 06 - Series 2025 A Resolution Approving A Conditional Use Permit for Light Manufacturing at 161 Main Street and 161 Nelson Avenue

D. Ordinance 03 - Series 2025 (First Reading) An Ordinance Amending Sections 6-7-20 and 6-7-40 of the Minturn Municipal Code establishing ownership and occupancy requirements for approval of a short-term rental license

11. DISCUSSION / DIRECTION ITEMS

A. Minturn Bike Park - Proposed Future Projects

12. FUTURE AGENDA ITEMS

A. Future Meeting Topics

13. ADJOURN

INFORMATIONAL ONLY ITEMS

Upcoming Council Meetings and Town Events:

-- February 7, 2025 - First Friday at The Crazy Chicken + SS4A Pop-up at same event

- February 25, 2025 - SS4A Virtual Public Meeting
- March 5, 2025 - Town Council Meeting
- March 19, 2025 - Town Council Meeting



AGENDA

Work Session 4:30 | Town Council 5:30

Wednesday, January 15, 2025

Town Hall / Council Chambers - 302 Pine St Minturn, CO

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MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION:

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Zoom Call-In Information: 1 651 372 8299 or 1 301 715 8592 **Webinar ID:** 844 9029 1080

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

1. CALL TO ORDER

Mayor Earle B. called the meeting to order at 4:30pm.

2. ROLL CALL AND PLEDGE OF ALLEGIANCE

Council present Mayor Earle Bidez, Mayor Pro Eric Gotthelf, Town Council members Lynn Feiger, Gusty Kanakis, Tom Priest, and Brian Rodine. Note: Kate Schifani was absent.

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

3. WORK SESSION (4:30 PM)

A. Town Manager Executive Recruitment

Review signed contract proposal, expectations, and next steps.

Council convened in Regular Session at 5:38pm.

4. APPROVAL OF CONSENT AGENDA

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

- A. December 18, 2024 Minutes
- B. Liquor License Renewal - 542 Main St LLC, DBA Sunrise 132 Main Street, Doug McAvity Owner/Manager

Motion by Gusty., second by Eric G., to approve the Consent Agenda of January 15, 2025 as presented. Motion passed 6-0. Note: Kate Schifani was absent.

5. APPROVAL OF REGULAR AGENDA

Opportunity for amendment or deletions to the agenda.

- Request to pull Item 11d Professional Services Agreement for an Interim Town Manager

Motion by Gusty K., second by Tom P., to approve the Agenda of January 15, 2025 as amended. Motion passed 6-0. Note: Kate Schifani was absent.

6. DECLARATION OF CONFLICTS OF INTEREST

7. PUBLIC COMMENT

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

- A. Alex Markels

Mr. Alex Markels, 624 Main St (Enclave Condominiums), presented a letter of concern and asked the council to enforce the Eagle River Highwater mark. Following is his complete letter.

Michelle M. noted we are complaint based and this is being followed up on.

January 13, 2025

Minturn Town Council
302 Pine Street
Minturn, CO 81645

Dear Councilmembers,

My name is Alex Markels and I live at 624 Main St. in Minturn.

I am writing to express my concerns about ongoing violations of Section 16-17-95 of the Minturn Municipal Code, which establishes a 30-foot setback from the high-water mark of the Eagle River. This setback is crucial for protecting the river's riparian corridor, a vital ecosystem supporting diverse fish and other wildlife.

While recent discussions regarding historic property designations have sparked debate, I believe we can all agree on the significance of the Eagle River as one of Minturn's most valuable historic and ecological assets. Its riparian corridor plays a critical role in filtering pollutants, stabilizing the riverbank, and moderating water temperatures, benefiting the entire ecosystem.

Unfortunately, the town's enforcement of Section 16-17-95 has proven inadequate. A recent Colorado Open Records Act (CORA) request revealed only a handful of enforcement actions since its adoption in 1999, despite a substantial increase in riverfront development since the adjacent railroad line was deactivated, and particularly after the onset of COVID-19 in 2020.

A prime example is the Eagle River Enclave (ERE) condominium development, where both common areas and residential units have increasingly encroached upon the 30-foot setback. Since moving to the ERE in 2011, I have repeatedly appealed to both residents and the ERE Homeowners Association to respect the setback and enforce their own regulations, but these efforts have been largely ignored.

Over the years, ERE property owners have engaged in activities such as tree removal, replacement of native vegetation with non-native species, and construction of decks, patios, paths and fire pits within the setback. These actions not only damage the ecosystem but also set a dangerous precedent for future development along the riverbank.

In 2018, I brought this issue to the town's attention, prompting a review of riverfront development at the ERE. Scot Hunn, in a letter to the ERE board president, expressed the town's disappointment with the ERE's blatant disregard for building codes, design review standards, and zoning regulations. He offered assistance with permitting and inspections to ensure compliance.

However, the results of another CORA request revealed that only one resident had obtained the necessary permits since Mr. Hunn's letter, leaving multiple units in violation of Minturn's regulations. After filing Code Compliance Violation Witness Reports in 2024, my efforts to address these violations have been met with resistance and even hostility from some ERE residents and the HOA board.

I urge the Town Council to take immediate action to address these violations and protect the Eagle River. Specifically, I request the following:

- Reinstate the original "high water mark" definition in Section 16-17-95. This would provide greater protection for the riparian corridor compared to the current "ordinary high-water mark" definition.

- Implement a comprehensive education program. This program should emphasize the importance of the 30-foot setback and provide clear guidance on permitted activities within the riparian corridor.

- Conduct a thorough land survey. This survey would identify and physically mark the 30-foot setback along the entire riverfront, providing a clear visual reminder for residents and developers.

- Increase proactive enforcement. This includes regular inspections, requiring violators to restore damaged vegetation, and issuing fines for non-compliance.

- Consider a river restoration initiative. Model the successful "Restore the Gore" initiative in Vail to actively restore and enhance the Eagle River riparian corridor.

The Eagle River is an integral part of Minturn's heritage, and additional protection is crucial for the enjoyment of future generations. I urge you to take decisive action to preserve this invaluable natural resource.

Thank you for your attention to this urgent matter.

Sincerely,

Alex Markels

624 Main St. Minturn, CO 81645

8. COUNCIL COMMENTS & COMMITTEE REPORTS

Gusty K. noted a Minturn Fitness Center board meeting and highlighted the programs and events.

Earle B. updated on potential federal lands that could be leased for workforce housing through a pending federal bill.

9. STAFF REPORTS

A. Manager's Report

Bellm Bridge Planning Grant

The Special Highway Committee has awarded Minturn \$297,823 for the design costs to begin the replacement of Bellm Bridge (award letter included). This is very exciting news! Minturn will now get underway on finalizing the review of a potential bridge replacement, including the review of the Dolores Bridge. Inter-Mountain Engineering has started evaluating the use of the Dolores bridge as a replacement option and although the length of the bridge is longer than the current span (map included), there may be options for a new bridge location if all parties are interested in evaluating such an option. Special thanks to Sustainable Strategies, SEH and Jeff Spanel for their work in submitting the grant application.

Taylor Street Paving Open House

The Open House for the Taylor Street repair and repaving project occurred on the evening of January 9th at Minturn town hall. Taylor Street residents attended and provided feedback on ways to improve drainage, slow traffic through the addition of dips in the road and other considerations. Jeff Spanel will now be compiling the feedback received and will provide an analysis to the Town Council prior to creating an RFP for construction services.

Eagle County Sheriff's Office

I met with Sheriff Van Beek, Undersheriff Loya and Seargent Mosness on Thursday, Jan 9th to review Minturn's current services. As always, the ECSO is a pleasure to have as a partner and willing to look for ways to ensure Minturn is receiving a value for services. With Deputy Peterson's resignation, there will be a rotation in ECSO Deputies servicing the Town moving forward. The goal remains community policing and education wherever possible. The Sheriff extended an offer to attend an upcoming Town Council meeting to provide additional updates.

Brian R. noted that Deputy Peterson has resigned, he asked if that employee unit could be used for the Child Care use? Currently this is an occupied unit by the Peterson's and Mrs. Peterson is a teacher in the valley and therefore a qualified renter.

Municipal Traffic Code (2024 Update)

Minturn staff will be working with Mike Sawyer and the ECSO toward adopting the 2024 Municipal Traffic Code (MTC). As a reminder, the hands-free legislation has gone into effect as of January 1, 2025, and it is therefore now against the law to have your phone in your hands while driving.

Department of Local Affairs (EIAF Grant Award)

DOLA has awarded Minturn funds toward the repair/replacement of the retaining wall at Little Beach Park. This work will also include a new access road from the small basketball court to the stage. As part of this project Minturn requested to utilize the Town's match dollars to purchase a new playground. DOLA has denied this request. Minturn is now looking at utilizing cash funds within the Little Beach Park escrow account to include a new playground as part of the summer 2025 construction work.

B. Planning Report - Highlands Parcels Public Process

Staff has been tasked with coordinating a public outreach and engagement process as the Town considers alternative uses for the "Highlands Parcels Nos. 1 & 2" located within the Bolts Lake area.

The Highlands Parcels Nos. 1 & 2 have been acquired by the Town as part of the Settlement Agreement executed in 2024 between the Town and Battle North. Parcels 1 & 2 present a unique opportunity for Town to achieve certain strategic and community plan policy goals while generating revenue specifically earmarked for the water enterprise fund which may be used to offset the design and construction of a new water treatment plant and/or offset water rates for the Town's citizens.

A [webpage](#) providing background information on the Bolts Lake area – specifically the Settlement Agreement and Highlands Parcels 1 & 2 – has been created; a short survey will go live the week of January 13th ; and staff will be working on preparing for an **open house to held Wednesday, January 29th, from 4:30pm-7:30pm at Town Hall.**

A link to the survey will be located on the Highlands Parcels webpage, will be distributed by e-blast, and the Town will include a link to the survey in the January Newsletter. Paper copies of the survey will also be available at Town Hall.

The format for the open house will include a series of stations with mapping and general information related to Parcels 1 & 2, along with opportunities for participants to ask questions, provide feedback through preference exercises, and talk with staff and other stakeholders about potential uses and issues related to Parcels 1 & 2.

The goal of this public engagement process – specifically the survey and open house – is to gather public input and preferences, ideas and concerns related to the future use or potential disposition (sale) of Parcels 1 & 2, to be considered by the Council when determining the highest and best use of the parcels.

The outcome of the public engagement process should also inform staff and the Council as to next steps which may include working with design and land planning professionals to create conceptual level land planning alternatives and scenarios.

Gusty K. asked to see how citizens might feel about selling the land to pay for the water plant. He felt that could be more clear.

Brian R. noted a video on the web page that would be helpful. drone video would be useful too.

Ms. Terry Armistead, address, asked to have all stakeholders represented to find the best fit for this land. This would include CDOW, USFS, etc. She also asked when the survey would be made available. Scot H. updated that he has contacted several and hopes they will be available at the next open house.

10. SPECIAL PRESENTATIONS

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

11. BUSINESS ITEMS

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

A. Resolution 01 - Series 2025 A Resolution Approving the Official Town Posting Locations

This is an annual Resolution setting the public posting sites and there is no change from previous years.

Motion by Eric G., second by Lynn F., to approve Resolution 01 – Series 2025 a Resolution setting the official Town posting locations as presented. Motion passed 6-0. Note: Kate Schifani was absent.

B. Resolution 02 - Series 2025 A Resolution Approving a Business Partnership with Eagle Valley Child Care Association

The Eagle Valley Child Care Association is requesting financial support toward the operations of a childcare facility located on Pine Street in Minturn. Minturn's only childcare facility, Pooh Corner, recently shut down, with little advance notice, leaving a dire need for many Minturn families who relied upon early childcare services. Eagle Valley Child Care Association completed the RFP process with the Eagle County School District and is looking forward to providing this service to the community. To keep costs down for families, EVCA is requesting a financial subsidy from the Town of Minturn. In return, EVCA offers the opportunity for five Minturn families to secure childcare services (see included proposal). Additionally, Minturn has two affordable housing units, located in town hall, which when available, are open to town staff, childcare employees, emergency services personnel and others.

Ms. Andrea Singletary, EVCCA, presented they are awaiting state licensure and hope to be officially open in the next week or so. She introduced Ms. Liza Lopez, who will be the onsite manager.

Lynn F. asked if a resident and a hospital worker would get double credits. Ms. Singletary noted that currently she has enrolled 14 Minturn citizens. She noted every effort has been made to represent Minturn fairly. The intent is to get as many Minturn citizens as possible and to represent all families as necessary.

Brian R. asked about open Board meetings and how best we could gain ongoing information. Other business partners have requested a quarterly update. Michelle M. recommended a quarterly update and then attendance during the budget hearing process.

Ms. Singletary noted an open house will be held to allow the public to visit the center.

Motion by Tom P., second by Eric G., to approve Resolution 02 - Series 2025 A Resolution Approving a Business Partnership with Eagle Valley Child Care Association as presented. Motion passed 5-1. (Gusty Nay) Note: Kate Schifani was absent.

C. Resolution 03 - Series 2025 A Resolution Approving the Proposal for Services with Sustainable Strategies

Michelle M. noted the funding for this contract is included in the budget, this agreement makes a change to renew on a calendar year to best fit the town budget.

Minturn has enjoyed a successful several years with Sustainable Strategies and looks to continue this work with an updated contract beginning in January 2025. With Minturn's limited budget and limited staff bandwidth, the Town relies heavily on grant awards to move projects forward. This has included funds supporting a new membrane water treatment plant, the extension of sidewalks on Main Street / US HWY 24, upcoming pedestrian and bicycle safety improvements to Railroad Ave and the North Main Street corridor, repair of the retaining wall at Little Beach Park and most recently the award for the planning of the Bellm Bridge replacement. Funds secured by Sustainable

Strategies over the past three years have equaled \$5,621,523. The cost of Sustainable Strategies over the same period was \$150,000, which is an excellent return on investment and more grant funding than Minturn has ever received prior.

Earle B. noted the process during Michelle's departure.

Lynn F. asked how the contract works; there is an annual retainer paid monthly. If we exceed the provided contract then there would be an additional funding requirement as needed.

Tom P. asked about the bridge replacement grant. We have an award letter but have not executed the contract; execution of the contract is the next step. Discussion ensued with the possible of reusing a bridge. Apparently the considered bridge is larger than what we can use.

Motion by Gusty K., second by Brian R., to approve Resolution 03 - Series 2025 A Resolution Approving the Proposal for Services with Sustainable Strategies as presented. Motion passed 6-0. Note: Kate Schifani was absent.

D. Professional Services Agreement for an Interim Town Manager

This item was pulled from the agenda.

E. Special Event Liquor Permit - Bindu Memorial Fund / Town of Minturn

Due to a timing issue tonight, Jay B. will present as staff and applicant. Council is asked to approve a Special Event Liquor permit for the Bindu Memorial Fund/Town of Minturn for an event to be held January 31, 2025 at the VSSA located at 1 Academy Loop In Minturn. The intent is that the Bindu Memorial group will run the event and Minturn will carry the license as the registered nonprofit. Beer has been donated for sale by the cup thereby requiring the permit. This event is an annual event and no issues have been associated in the past.

This item requires a Public Hearing and Staff is recommending approval.

Public Hearing Opened

No Public Comment

Public Hearing Closed

Motion by Gusty K., second by Tom P., to approve the proposed Special Event Permit to sell Malt, Vinous and Spiritous liquor beverages to be located as defined in the attached application as presented. Motion passed 6-0. Note: Kate Schifani was absent.

F. Resolution 04 - Series 2025 A Resolution Approving Preliminary Plan and Preliminary Plat for Midtown Village PUD

The Applicant, Midtown Lofts, LLC, requests review by the Town Council of the Midtown Village Preliminary Plan for PUD as well as the companion application for a Preliminary Subdivision Plat (To legally subdivide and create underlying tracts associated with the proposed PUD), collectively

referred to in this report as the *Preliminary Development Plan*. An application for Amendment to the Official Zone District Map (to change the underlying/existing zoning from South Town Character Area “Commercial Zone” to the “Midtown Village PUD Overlay Zone”) was submitted as well, however official action should not be taken on this application until Final Plan and Final Plat.

Madison H. presented for the record the staff report and read such into the record. Mr. Jeff Armistead was present as the developer.

The following suggested conditions of approval are provided as an initial list (to be added to during the hearing process if necessary and appropriate) in the event the Town Council takes action to approve the Preliminary Plan for PUD with conditions.

1. All representations of the Applicant related to how the project complies with provisions of the Code or promises or concessions that the Applicant is willing to make as part of an approval are binding on the Applicant.
2. Work with the Town Attorney and Town Engineer to ensure that all sheets, easements, and other matters on the Final Pat and 100% civil engineering drawings are accurately and clearly labeled.
3. Work with the Town Attorney and Planning Director to ensure that the PUD Guide contains only matters relating to land use, development standards, and zoning, and the PUD Narrative contains other matters relating to the prosecution of the development, including phasing, future subdivisions, allocation of water, and temporary uses. Many of these matters will also be reflected in the SIA.
4. Work with the Town Attorney and Town Engineer on SIA to include final Engineer’s Estimate of Probable Costs (EEOPC) for public improvements, security, restricting development of future of development at 22.5 SFEs until the Water Moratorium (Ordinance No. 2, Series 2023 as such may be amended) or other provisions in the Town Code allow for development in excess of this number, phasing of development, landscaping, additional permits, and other construction related matters.
5. Work with the Town Attorney on any recommended revisions to the Master Declaration of Covenants, Conditions, and Restrictions for the Midtown Village Homeowners Association.
6. Work with the Town Attorney on inclusionary housing policy, transfer covenants, and deed restrictions to ensure that these covenants and deed restrictions have appropriate priority and enforcement mechanisms.
7. Work with the Town Attorney and Planning Director to resolve any of the outstanding matters from previous referral letters and applicant responses.
8. Work with the Town Attorney and Planning Director to review and revise the Midtown Village PUD Housing Plan to identify opportunities to increase the number of price-capped, for-sale units; to lower the initial sales price for deed restricted, price-capped units from 200% AMI to a range between 120-140% AMI; and to include price appreciation caps for any deed restricted, price-capped for-sale unit resales.
9. The section relating to alternative definition of SFEs in the PUD Narrative is deleted in its entirety.
10. Language shall be added to the SIA requiring that Phases 3-5 comply with additional CDOT traffic studies as required by CDOT at the time of application.

Brian R. asked about landscaping and if we require landscaping that requires water? Scot H. noted yes, and detailed how that reads in the code.

Gusty K. asked about the density. This was discussed and how the project is phased due to the lack of water taps. Gusty K. also asked about the natural trail, would it be dirt? This was reviewed.

Eric G. asked about the proposed solar array, it was noted all is to be built for EV needs.

Lynn F. asked about the access being a single point, Jeff Armistead noted this is a requirement of CDOT and confirmed it reduces what they currently available for the property.

Tom P. discussed the proposed employee housing.

Public hearing opened.

Madison H. noted a comment in the packet from Ms. Anderson, 962 Main St was opposed to the setback variance and expressed concerns with one access point causing traffic issues.

Public Hearing Closed

Motion by Tom P., second by Gusty K., to approve Resolution 04 - Series 2025 Approving the Midtown Village Preliminary Development Plan for PUD and Preliminary Plat because the applications conform to the applicable criteria and standards of the Minturn Municipal Code and the Minturn Community Plan as presented with the stated conditions. Motion passed 6-0. Note: Kate Schifani was absent.

- G. Ordinance 01 - Series 2025 (First Reading) An Ordinance Amending Chapters 16 and 19 of the Minturn Municipal Code Adding Flexibility Options for Historic Preservation of Structures**

Madison H. presented.

As part of Council's review of Ordinance 20 - Series 2024 amending Chapter 16 - Zoning and Chapter 19 - Historic Preservation, Council directed the HPC to vet additional options to encourage flexibility and economic sustainability for owners of historic properties. At the October 15, 2024 HPC meeting, staff was given direction to implement Buena Vista's Sec. 19-9 into the Town's code. Staff also received direction to draft language regarding reduction in setbacks, building coverage and impervious coverage limitations. At the November 19, 2024, meeting HPC gave staff feedback on specific wording regarding setbacks. That wording has been updated and received a recommendation of approval from HPC to the Town Council. The ordinance was presented to the Planning Commission at the January 8, 2025, meeting for their recommendation to the Town Council. There was discussion that these changes (setbacks, impervious coverage, etc.) might negatively impact neighboring properties and that historic properties should remain looking historic and so additional development should not be encouraged on historic properties. The

Planning Commission voted unanimously to forward a recommendation of denial to the Town Council.

Gusty K. felt this should be taken up AFTER the property study is completed. He supported the unanimous recommendation of denial by the Planning Commission and he was concerned that the distance between buildings is too narrow for fire mitigation.

Brian R. asked about public comment at the other meetings. There has been minimal.

Lynn F. noted the properties that have been historically designated and the importance of this process.

Earle B. noted the fire dept would rather have connected buildings than small setbacks. He discussed the need to improve the buildings to increase commercial uses.

Public Hearing Opened.

Mr. Tim McMann, Avon, spoke and recommended council follow the Planning Commission recommendation.

Public Hearing Closed.

Motion by Lynn F., second by Brian R., to approve Ordinance 01 - Series 2025 (First Reading) An Ordinance Amending Chapters 16 and 19 of the Minturn Municipal Code Adding Flexibility Options for Historic Preservation of Structures as presented. Motion failed . (Yay: Lynn F. and Earle B.

H. Ordinance 02 - Series 2025 (First Reading) An Ordinance Amending Chapter 16, Article 17 of the MMC in Regards to Cut-Off Times for Holiday Lighting

Recently, the Town reviewed and adopted minor revisions to Section 16-17-180 - *Exterior illumination standards*, to allow for seasonal uplighting of the historic Minturn Water Tank for Town purposes. During their deliberations to approve Ordinance No. 19, Series 2024, the Minturn Town Council discussed the Town's dark or "night" sky lighting restrictions as well as exemptions within the Minturn Municipal Code that allow for holiday or ornamental lighting. The Council was most interested in understanding how the Town regulates or enforces exterior lighting restrictions and whether there should or could be limits placed on the time of day when non-permanent holiday lighting can be displayed. Staff were then directed to facilitate a follow-up discussion related to holiday lighting.

At the regular Council meeting of November 20th, 2024, staff presented existing lighting regulations and definitions for "Exterior lighting" and "Holiday/ornamental lighting" and highlighted some issues with the current regulations and definitions. Namely, the current definition of holiday/ornamental lighting is problematic because it states that holiday or ornamental lighting means "festoon lighting." Staff disagrees with this (holiday lighting and "festoon" or café-style lighting are different) and, ultimately, the Council gave direction to staff to present an ordinance

amending Section 16-17-180 to update the definition of “Holiday lighting” and to add a separate definition for “Festoon lighting” – to differentiate between the two forms of lighting and, therefore, to allow for better regulation of both.

Additionally, the Council gave staff direction to amend Section 16-17-180 to add a time limit (dawn or sunrise to 10pm) when holiday lighting can be turned on, while allowing festoon lighting – typically considered “café” style lights that people use in their backyards year round or which are used for commercial outdoor seating year round – to be considered as permanent and therefore not limited to time limits that will apply to holiday lighting.

This ordinance received a unanimous recommendation from the Planning Commission for approval.

Public Hearing Opened
No Public Comment
Public Hearing Closed.

Motion by Gusty K., second by Tom P., to approve Ordinance 02 - Series 2025 (First Reading) An Ordinance Amending Chapter 16, Article 17 of the MMC in Regard to Cut-Off Times for Holiday Lighting as presented. Motion passed 6-0. Note: Kate Schifani was absent.

12. DISCUSSION / DIRECTION ITEMS

A. Consideration to amend the Short-Term Rental regulations to require 2-year residency instead of ownership

Council to discuss and give staff direction on potentially drafting code language to amend the Short-Term Rental regulations to require 2-year residency instead of ownership. At the June 19, 2024, Council meeting, there was a discussion spurred by input received on the Community Survey in regards to Short Term Rentals and recommendations from Council members. Due to the breadth of that discussion, it was recommended that there be a separate discussion regarding 2-year residency requirements. Since the introduction in 2017 of Minturn’s Short Term Rental policy, little has changed. It has been observed that in the last couple of years, there have been a couple of instances where property owners will use the current 2-year ownership requirement as the time to go through the Design Review and Building Permit process, and, once they’ve received their Certificate of Occupancy, the two years have passed and the property immediately becomes a Short Term Rental. One way to address this is to require 2-year residency (either owner occupied or a long-term rental) post the issuance of a Certificate of Occupancy on top of the two-year ownership requirement. Please note that this would likely have less impact on people who acquire a property that has an existing residential unit. If the property owner does not plan to tear down and rebuild, they would still have to own the property for two years prior to any issuance of a Short-Term Rental license. Staff would like the Council to discuss and give direction on any potential amendments to the Short-Term Rental regulations in Chapter 6, Article 7 of the Minturn Municipal Code. In the Community Survey completed in April 2024 and presented to Council, many residents expressed worries about the impacts of short-term rentals on the availability of locals housing.

There were some suggestions for further tightening regulations on STRs and some residents felt the need for stronger enforcement.

Discussion ensued on the merits of the current regulations.

Brian R. was in strong support of the two-year ownership program. He felt if the owner is a full time resident and STR’s a portion that should not have the ownership restriction.

Spence Neubauer, 444 Eagle River St, felt the program is currently working and should not be changed.

Direction was to come back with an ordinance that includes among other items:

- The house must be a primary residence or a long-term rental for two years
- If the owner lives in it, they can str a portion of the home prior to two years.

13. FUTURE AGENDA ITEMS

Discussion of 30ft setback

14. ADJOURN

Motion by Tom P., second by Brian R., to adjourn at 8:34pm.

Earle Bidez, Mayor

ATTEST:

Jay Brunvand, Town Clerk

INFORMATIONAL ONLY ITEMS

Upcoming Council Meetings:

- February 5, 2025
- February 7, 2025 - February First Friday at The Crazy Chicken (Event to include a SS4A Pop-Up to gather community feedback)
- February 19, 2025
- March 5, 2025
- March 7, 2025 - March First Friday at Vail Mountain Coffee & Tea



To: Mayor and Council
From: Jay Brunvand
Date: February 5, 2025
Agenda Item: Resolution 07 – Series 2025

REQUEST:

Council is asked to approve Resolution 07 – Series 2025 a Resolution to dedicate the \$2,000 Community Enhancement Donation from Holy Cross Energy for purchase of and enhancements to the Minturn Summer Market.

INTRODUCTION:

Annually Holy Cross Energy donates \$2,000 to Minturn as part of the Franchise Agreement with the purpose of being dedicated to community enhancement. Staff is requesting, and has confirmed its appropriateness with Holy Cross, to apply those funds for purchase of and enhancements to the Minturn Summer Market.

ANALYSIS:

N/A

COMMUNITY INPUT:

N/A

BUDGET / STAFF IMPACT:

N/A

STRATEGIC PLAN ALIGNMENT:

In accordance with Strategy #3 to sustain and invest in the things that define Minturn as a proud, sturdy mountain town to "Keep Minturn Minturn". Minturn strongly values its full-time resident community. Founded by the working-class, the town continues to emphasize the local's experience and quality of life. To maintain the character of Minturn and its ability to transcend time, the community must continually make strides to emphasize the working class.

RECOMMENDED ACTION OR PROPOSED MOTION:

- This item is approved as part of the Consent Agenda, no further consideration is requested.

ATTACHMENTS:

- Resolution 07 – Series 2025

**TOWN OF MINTURN, COLORADO
RESOLUTION NO. 07 – SERIES 2025**

**A RESOLUTION ALLOCATING THE 2025 HOLY CROSS ENERGY
COMMUNITY ENHANCEMENT FUND PROCEEDS FOR THE
PURPOSE OF COMMUNITY FUNDING FOR THE MINTURN SUMMER
MARKET IN MINTURN**

WHEREAS, Section 11.1 of the Holy Cross Energy Franchise Agreement, renewed in 2011, states that Holy Cross Energy Community Enhancement funds can be used for beautification projects and development thereof; and

WHEREAS, The Town has requested the use of these 2025 funds, in the amount of \$2,000, from Holy Cross Energy for the purpose of purchase and enhancements to the Minturn Summer Market.

NOW THEREFORE, BE IT RESOLVED by the Town of Minturn Town Council, State of Colorado, the Holy Cross Energy Community Enhancement Fund proceeds from the fiscal year 2025 will be applied toward the purchase of and enhancements to the Minturn Summer Market.

INTRODUCED, READ, APPROVED, ADOPTED AND RESOLVED this 5th day of February, 2025.

TOWN OF MINTURN

By: _____
Earle Bidez, Mayor

ATTEST:

Jay Brunvand, Town Clerk



To: Mayor and Council
From: Jay Brunvand
Date: February 5, 2025
Agenda Item: Renewal of a Hotel and Restaurant Liquor License

REQUEST:

Staff is requesting Council to review and approve the attached Renewal application for a Hotel and Restaurant Liquor License for The Minturn Saloon LLC., 146 N. Main St, Constance Mazza Owner/Manager.

INTRODUCTION:

The Minturn Saloon is up for annual renewal of their liquor license.

ANALYSIS:

Not Applicable

COMMUNITY INPUT:

N/A

BUDGET / STAFF IMPACT:

The applicant has submitted the required fee of \$125.00.

STRATEGIC PLAN ALIGNMENT:

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

RECOMMENDED ACTION OR PROPOSED MOTION:

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

ATTACHMENTS:

- Application and supporting documentation for the license renewal.

DR 8400 (02/16/24)
 COLORADO DEPARTMENT OF REVENUE
 Liquor Enforcement Division
 PO BOX 17087
 Denver CO 80217-0087
 (303) 206-2300

RECEIVED

Submit to Local Licensing Authority JAN 13 2025

THE SALOON
 PO BOX 2653
 Edwards CO 81632

1915

Fees Due	
Annual Renewal Application Fee	\$
Renewal Fee	750.00
Storage Permit \$100 X _____	\$
Sidewalk Service Area \$75.00	\$
Additional Optional Premise Hotel & Restaurant \$100 X _____	\$
Related Facility - Campus Liquor Complex \$160.00 per facility	\$
Amount Due/Paid	\$ 750.00

Make check payable to: Colorado Department of Revenue. The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department may collect the payment amount directly from your banking account electronically.

Retail Liquor License Renewal Application

Please verify & update all information below. Return to city or county licensing authority by due date.

Note that the Division will not accept cash.

☐ Paid by check
☐ Paid Online

Uploaded to MoveIt on Date

Licensee Name

THE MINTURN SALOON LLC

Doing Business As Name (DBA)

THE SALOON

Liquor License Number

License Type

Hotel & Restaurant (city)

Sales Tax License Number

Expiration Date

Due Date

04/18/2025

03/04/2025

Business Address

Street Address

146 NORTH MAIN STREET

Phone Number

9708275954

City, State, ZIP Code

Minturn CO 81645

Mailing Address

Street Address

PO BOX 2653

City, State, ZIP Code

Edwards CO 81632

Email

Connie@minturnsaloon.com

Operating Manager

Connie Mazza

Date of Birth

Home Address

Street Address

Phone Number

117 Tall Grass

City

State

ZIP Code

Gypsum

CO

81637

1. Do you have legal possession of the premises at the street address? ☒ Yes ☐ No

Are the premises owned or rented?

☐ Owned

*If rented, expiration date of lease

☒ Rented*

12/31/2055

2. Are you renewing a storage permit, additional optional premises, sidewalk service area, or related facility? ☐ Yes ☒ No

If yes, please see the table in the upper right hand corner and include all fees due.

3. Are you renewing a takeout and/or delivery permit? ☐ Yes ☒ No

(Note: must hold a qualifying license type and be authorized for takeout and/or delivery license privileges) If selecting 'Yes', an additional \$11.00 is required to renew the permit.

If so, which are you renewing? ☐ Delivery ☐ Takeout ☐ Both Takeout and Delivery

4. Since the date of filing of the last application, has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant, been found in final order of a tax agency to be delinquent in the payment of any state or local taxes, penalties, or interest related to a business? ☐ Yes ☒ No

Since the date of filing of the last application, has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant failed to pay any fees or surcharges imposed pursuant to section 44-3-503, C.R.S.? ☐ Yes ☒ No

5. Since the date of filing of the last application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? ☐ Yes ☒ No

If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested.

6. Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime?.....

☐ Yes ☒ No

If yes, attach a detailed explanation.

7. Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked?.....

☐ Yes ☒ No

If yes, attach a detailed explanation.

8. Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee?.....

☒ Yes ☐ No

If yes, attach a detailed explanation.

We have a liquor license at our other restaurant: Village Bagel, LLC
34500 US HWY 6 # B7 Edwards CO 81632
Liq. License #: [REDACTED]

Affirmation & Consent

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct and complete to the best of my knowledge.

Type or Print Name of Applicant/Authorized Agent of Business

CONNIE MAZZA

Title
Connie Mazza

Signature
Owner

Date (MM/DD/YY)

1/8/25

Report & Approval of City or County Licensing Authority

The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 44, Articles 4 and 3, C.R.S., and Liquor Rules.

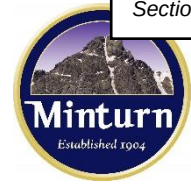
Therefore this application is approved.

Local Licensing Authority For

[REDACTED]

Title [REDACTED] Attest [REDACTED]

Signature [REDACTED] Date (MM/DD/YY) [REDACTED]



To: Minturn Town Council
 From: Michelle Metteer
 Date: February 05, 2025
 RE: Town Manager Update

Main Street Phase II Sidewalks

This project is prepared to go to bid and will have an open bid period of three weeks. Postings will be placed in the Vail Daily, Town website, BidNet and CIP Information Service. In addition, the [RFQ for construction management services](#) will be published Feb 3rd. Jeff Spanel and Katie Sickles will oversee the RFP process. If any council members are interested in participating in the interview portion of the process, please let Katie know. Up to two council members can participate. Katie can be reached at interim@minturn.org.

Taylor Street Paving Project

Jeff Spanel and Cindy Krieg hosted an open house for Taylor Street residents to provide additional feedback for residents requesting improvements as part of the Taylor St repave project. This project has an estimated budget of \$750k and will need to address many deficiencies along the roadway including a variety of drainage issues, vehicle speed issues and parking. The Council directed NOT to take back any of the right of way already encroached upon, so the staff will work within the current [alignment](#) to find a balance of improvements that can be made within the confines of the budget.

Eagle River Quiet Title

Letters have been sent to property owners along the river within the Eagle River Restoration area notifying them of the Town's effort to quiet title the river bottom. The letters further indicate that no legally obtained private property will be affected by this effort. This has been an ongoing effort since the Council in 2018 approved of this process and the Council in 2024 confirmed the commitment to this undertaking. Rob Marsh is leading this work for the Town and Mike Sawyer can provide additional context as needed after my departure.

Trump Administration's Executive Orders, Directives & Guidance (Sustainable Strategies Update)

The change in the federal administration has led to uncertainty regarding project loan and funding opportunities (See M-25-13 below for reference). With President Trump pausing federal aid to many programs, Minturn was uncertain as to the \$3M in Congressionally Directed funding the Town plans to utilize for offsetting the cost of the water treatment plant. After listening to Sustainable Strategies analysis of the freeze, which has since been rescinded while the administration takes the next 90-days to review programming, it sounds as though CDS funds are unlikely to be affected as those funds were congressionally approved. More to come as this moves through the process.

M-25-13: Temporary Pause of Agency Grant, Loan & Other Financial Assistance Programs

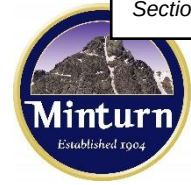
[Rescinding of freeze order](#)

[Sustainable Strategies Federal Funding PowerPoint](#)

[Sustainable Strategies Full Presentation](#)

Department of Local Affairs (EIAF Grant Award)

DOLA has awarded Minturn funds toward the repair/replacement of the retaining wall at Little Beach Park. This work will also include a new access road from the small basketball court to the stage. As part of this project Minturn requested to utilize the Town's match dollars to purchase a new playground. DOLA has denied this request. Minturn is now looking at utilizing cash funds within the Little Beach Park escrow account to include a new playground as part of the summer 2025 construction work.



To: Minturn Town Council
 From: Scot Hunn, Consulting Planning Director
 Date: January 31, 2025
 RE: Planning Director Update

Minturn Forward Code Update Project:

The Planning Department continues to work with Western Slope Consulting (Matt Farrar) and the Planning Commission to develop and review new articles and sections of Chapters 16 (Zoning) and 17 (Subdivision) of the Minturn Municipal Code as part of the Minturn Forward Code Update Project. The new Chapters 16 & 17 will replace the existing Chapters upon adoption. Priority has been placed on the creation of new administrative articles and sections that will have the most impact on improving processes and the implementation of the Town's policies. Each new article or section of code has been vetted internally (by the Planning department, the Town Attorney, and the Town Engineer) prior to presenting a draft document to the Planning Commission for review. Following Planning Commission review, the draft document is then revised and represented to the Planning Commission before moving on to additional articles and sections. Articles created and reviewed since June 2024 include:

- **Article 5 – Land Use Application Requirements & Procedures**
 - This article sets forth the purposes, application submittal requirements, review criteria, and processes for each land use application type (i.e. rezoning, PUDs, zoning variances, conditional use permits, DRB applications).
 - This is considered by staff as perhaps the most critical article in the new code. This article will correct contradictions and conflicts in the current code by standardizing language, processes, and terms while clarifying the intent of each different land use application review by the Town.
 - The clarity and standardization of certain elements of the code will create efficiency for the Town and predictability for applicants.
- **Article 8 – Subdivision Application Requirements and Procedures**
 - This article replaces previous Chapter 17 – Subdivisions, of the Town Code and adds clarity to the process and administrative aspects of applying for a subdivision.
 - Like Article 5, this new article will include elements (text, certain processes and/or requirements) of the existing code along with new language, new provisions, and layout/format to be more user-friendly.
 - Article 8 has been reviewed by the Planning Commission, has been updated based on Planning Commission feedback, and is now being reviewed by the Town's consultant team (Attorney and Engineer) before being presented again to the Planning Commission.
- **Article 12 – Environmental Impact Report**
 - This article replaces the previous environmental impact report section of the code and adds clarity to the process and administrative aspects.
 - This article includes existing provisions (existing code) along with new provisions that allow the Town to evaluate potential development impacts on the natural environment.
 - This article will also address potential development impacts on social, fiscal, or cultural environments of the Town.

Next steps in our process include review of Article 11 – Annexation and Disconnection (currently undergoing internal review by planning staff before being presented to the Planning Commission), wrapping up Article 8 – Subdivision Requirements and Procedures, and then moving on to Module 2 which will include work on the Town's zone districts, allowable uses, development standards, and official zone

district map. This step (zoning, uses, and allowable uses) will involve public engagement. Staff will keep Council informed as the public engagement process is being formulated.

Active Land Use Applications:

- **Eagle County School District – Maloit Park Preliminary Subdivision Plat Review**
Staff has been reviewing the Eagle County School District Maloit Park Preliminary Plat for Subdivision application since late 2023. In fall 2024, the application was sent to referral agencies as well as the Town’s consultant team for review. The Applicant is currently working to address those comments and/or concerns and, in certain instances, to revise the application. Following the completion of the referral process, the subdivision application will be scheduled for a public hearing before the Planning Commission who will make a recommendation for the Council’s consideration.
- **Design Review Board Administration & Building Activity**
Staff continue to meet with property owners interested in new or remodel projects; to accept and review Design Review Board applications for new homes and remodel projects; and to work with our building official to coordinate and complete review of building permits and inspections in the field. Staff anticipate a busy spring, with more DRB applications for projects like Belden Place and Minturn North PUDs, as well as individual new home projects

Other Planning Department Activities:

- **The Highlands Parcels 1 and 2 Public Engagement**
Staff have completed the first step in the public process to determine the future use of the Highlands Parcels Nos. 1 and 2. In early January, the Town launched a webpage with background information about the parcels, as well as information about the Town’s intended process – including public input – to decide how best to use those parcels. A survey was conducted (online and handwritten options) and the Town hosted an open house on Wednesday, January 29th at Town Hall.

The January 2025 survey questions were based on similar questions asked during the Community Survey conducted in the spring of 2024, essentially asking respondents if they prefer the Highlands to be used or preserved as open space, or for development, or some combination of both. The premise of those (2024) questions were that the Town has the opportunity to sell the Highlands Parcels to generate revenue that directly benefits the Town’s Water Enterprise Fund. Staff drafted the most recent survey to reiterate the Town’s intent to generate revenue, while not speculating on which options (open space or real estate development sale options) would produce more, or less revenue.

As of this writing, the Town has received 231 responses to the survey (including online and written survey responses from residents and non-residents), and we welcomed approximately 40 people during the open house. The survey will close at the end of day on Friday January 31st. The survey response and the great attendance at the open house are indicative of the community’s interest in the Highlands Parcels.

Staff will take the next two weeks to analyze the survey results from the survey and the open house (which had boards/dot matrix exercise asking essentially the same questions as were posed

in the survey), as well as any written comments and ideas. An early assessment of public input received indicates that:

- 1) The 2025 Highlands Parcels Survey results mirror the responses related to Highlands Parcel questions asked in the Spring 2024 Community Survey (a preference for the Town to seek revenue generation through the sale of the parcels for open space/land conservation).
- 2) There is a strong preference by the public in 2025 for an open space alternative that limits or prohibits public access/recreation in lieu of protection of wildlife habitats.

Staff will provide a more detailed analysis and report of the survey and open house results to Council at its second meeting in February and will look for further direction from Council on next steps and action alternatives for the Highlands Parcels 1 and 2.

- **Eagle County Regional Housing Action Plan Partnership**

The planning director has been participating alongside representatives from Eagle County, Avon, Eagle, Gypsum, Red Cliff, and Vail in a regional housing action plan task force spearheaded by Eagle County and the Town of Avon. The purpose of this effort is to create a regional housing action plan – looking at alignment between land use policies and community housing goals within and across jurisdictions, as well as identifying potential funding sources to implement priorities and projects - and is based on a housing needs assessment being finalized by Economic Planning Systems (EPS). The assessment is based on community survey work and an extensive process by EPS to work with each partner jurisdiction to compile data on existing land use and development, existing housing policies and housing units/supply in each jurisdiction, as well as demographics and market trends. The partnership presented the initial results of the assessment to each of the partner jurisdictions in October and November.

Since then, EPS has worked to finalize a report which should be published in February or March 2025. EPS will now work with each partner jurisdiction to develop individualized action plans (based on the findings from the report) laying out strategies for defining opportunities that fit each jurisdiction and generally aimed at improving or protecting local's housing stock. In February and March, the partnership – lead by EPS – will again visit each jurisdiction to present the final report along with individualized recommendations (action plans) for consideration.

- **Eagle County Wildland Urban Interface (WUI) Code Working Group**

The planning director and the code enforcement officer have been participating in a regional effort spearheaded by the Eagle County Wildfire Collaborative group to understand and discuss alternatives, pros, and cons related to the potential adoption of Wildland Urban Interface (WUI) code requirements in member jurisdictions (towns, special districts, and fire districts). This group has been meeting since the start of 2024 and work completed to date includes sharing and analysis of each jurisdictions' existing land use, zoning, and building code regulations and policies to better understand where, if at all, there are commonalities across or among jurisdictions by way of fire or wildfire related terms, regulations, or design requirements for things like home construction, landscape design and materials, and access to private property.



To: Minturn Town Council
From: Scot Hunn, Consulting Planning Director
Date: January 9, 2025
Agenda Item: Ordinance No. 02, Series 2025

Staff have attached the first reading of Ordinance 02 – Series 2025 for the Town Council’s review and consideration at their regular meeting of January 15, 2025.

Recently, the Town reviewed and adopted minor revisions to Section 16-17-180 - *Exterior illumination standards*, to allow for seasonal uplighting of the historic Minturn Water Tank for Town purposes. During their deliberations to approve Ordinance No. 19, Series 2024, the Minturn Town Council discussed the Town’s dark or “night” sky lighting restrictions as well as exemptions within the Minturn Municipal Code that allow for holiday or ornamental lighting. The Council was most interested in understanding how the Town regulates or enforces exterior lighting restrictions and whether there should or could be limits placed on the time of day when non-permanent holiday lighting can be displayed. Staff were then directed to facilitate a follow-up discussion related to holiday lighting.

At the regular Council meeting of November 20th, 2024, staff presented existing lighting regulations and definitions for “Exterior lighting” and “Holiday/ornamental lighting” and highlighted some issues with the current regulations and definitions. Namely, the current definition of holiday/ornamental lighting is problematic because it states that holiday or ornamental lighting means “festoon lighting.” Staff disagrees with this (holiday lighting and “festoon” or café-style lighting are different) and, ultimately, the Council gave direction to staff to present an ordinance amending Section 16-17-180 to update the definition of “Holiday lighting” and to add a separate definition for “Festoon lighting” – to differentiate between the two forms of lighting and, therefore, to allow for better regulation of both.

Additionally, the Council gave staff direction to amend Section 16-17-180 to add a time limit (dawn or sunrise to 10pm) when holiday lighting can be turned on, while allowing festoon lighting – typically considered “café” style lights that people use in their backyards year round or which are used for commercial outdoor seating year round – to be considered as permanent and therefore not limited to time limits that will apply to holiday lighting.

This ordinance received a unanimous recommendation from the Planning Commission for approval.

TOWN OF MINTURN, COLORADO
ORDINANCE NO. 02 – SERIES 2025

AN ORDINANCE OF THE TOWN OF MINTURN,
COLORADO AMENDING CHAPTER 16, ARTICLE 17 OF THE
MINTURN MUNICIPAL CODE

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

WHEREAS, the Town of Minturn 2025-2027 Strategic Plan (hereinafter the “Strategic Plan”) seeks to “To ensure Minturn’s future as a neighborly mountain community,” and to practice and exhibit “Integrity,” “Transparency,” “Collaboration,” and “Resourcefulness” through specific strategic priorities;

WHEREAS, the Strategic Plan contains specific priorities in support of proposed amendments to Chapter 16, Zoning; and

WHEREAS, in 2023, the Town completed a comprehensive update to the 2009 Community Plan to create the 2023 Imagine Minturn Community Plan (hereinafter the “Community Plan”); and

WHEREAS, a key objective of the Community Plan is to review and update the Town’s zoning, land use, development and design regulations and standards; and

WHEREAS, the Town Council has directed staff to draft text amendments to Chapter 16 of the Minturn Municipal Code (hereinafter the “MMC”), the Town Land Use Regulations, from time to time, in accordance with the Town’s Strategic Plan and Community Plan; and

WHEREAS, at their regularly scheduled meeting of September 3, 2024, the Town Council considered and approved Ordinance No. 19, Series 2024, authorizing certain amendments to Section 16-17-180 - *Exterior illumination standards*, MMC; and

WHEREAS, at their regularly scheduled meeting of September 3, 2024, the Town Council directed staff to bring forth additional, subsequent amendments to Section 16-17-180 – *Exterior illumination standards*, MMC, to update definitions related to and differentiating between holiday lighting and festoon-style lighting, and to add daily time limits applicable for holiday lighting illumination; and

WHEREAS, on January 8, 2025, the Minturn Planning Commission considered this ordinance and recommended approval; and

WHEREAS, on January 15, 2025, the Minturn Town Council approved this ordinance on first reading; and

WHEREAS, the Minturn Planning Commission and Town Council have determined that the text amendments to Chapter 16 of the Minturn Municipal Code as provided herein are necessary and proper.

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

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

SECTION 2. Chapter 16 of the Minturn Municipal Code is hereby amended to read as follows, with additions shown in double underlined text and language to be deleted shown as ~~strike through~~ text. Sections of Chapter 16 which are not expressly described in this Ordinance are deemed to continue to be in full effect without change.

Sec. 16-17-180. – Exterior Illumination Standards.

* * *

(b) Definitions. For the purpose of this Article, the following definitions shall apply:

* * *

Festoon lighting means a string of outdoor globe-style lights suspended between two or more points or structures, such as beams, poles, or posts. Festoon lights are commonly referred to as “party lights” or “café-style lights” and are typically associated with permanent outdoor lighting solutions for outdoor spaces such as backyards, patio areas, or common, public gathering areas.

Holiday/~~ornamental~~ lighting means ~~festoon-type lights~~ seasonal lighting of a temporary nature intended to celebrate recognized holidays occurring throughout the calendar year and which may include low-level lighting such as festoon lighting, holiday light stringers, or similar.

* * *

(f) Exemptions. The following exterior light fixtures shall be exempt from the regulations contained in this Article:

- (1) Illumination of the United States flag, provided that such lighting does not interfere with the vision of drivers or pedestrians or otherwise create an unsafe condition for the public. No more than two (2) lights per pole are permitted.
- (2) Lights and lighting devices which are part of a Town event, Town display, or public gathering, so long as the event, display, or gathering is of a temporary, seasonal, or periodic nature.
- (3) ~~Holiday/ornamental~~ lighting limited to illumination between sunrise and ten o'clock (10:00) P.M., M.S.T.

- (4) Festoon lighting.
- (5) Construction lighting used for the purpose of illuminating construction work activities, provided that the illumination source is directed internally towards the project site and is turned off each night when work is halted.
- (5) Any light source that is used by an emergency service provider.

* * *

INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THE 15th DAY OF JANUARY 2025. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 5th DAY OF FEBRUARY 2025 AT 5:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:

By:_____
Jay Brunvand, Town Clerk

THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THIS 5th DAY OF FEBRUARY 2025.

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:

By:_____
Jay Brunvand, Town Clerk



To: Mayor and Council
From: Jay Brunvand
Date: February 5, 2025
Agenda Item: Resolution 05 – Series 2025

REQUEST:

Council is asked to approve Resolution 05 – Series 2025 a Resolution appointing an interim Town Administrator for Special Projects and an Interim Town Administrator for in-house operations for the Town of Minturn.

INTRODUCTION:

In light of Michelle Metteer's resignation and as considered in prior discussions the Council is asked to appoint Ms. Katie Sickles as the Interim Town Administrator for Special Projects. Her role will be to continue the advancement and or completion of the multitude of special projects and capital projects the town is currently undertaken. As a result of several interviews and conversations, Ms. Sickles has the background and expertise to manage the projects and to move forward those projects in a professional manner.

In addition, the council is asked to appoint Jay Brunvand as Interim Town Manager as the inhouse Interim Town Manager. This position will be responsible for the policies and affairs of the Town, managing and controlling the functions of the Town Departments and staff, and in house assistance of the permanent Town Manager and liaison with the Special Projects interim Town Manager.

ANALYSIS:

N/A

COMMUNITY INPUT:

N/A

BUDGET / STAFF IMPACT:

The replacement of the Town Manager with a permanent hire will require significant effort and costs. The intent is to place qualified interim individuals while the permanent hire search is undertaken.

STRATEGIC PLAN ALIGNMENT:

In accordance with Strategy #1 to practice fair, transparent, and communicative local government and in accordance with Strategy #4 to advance decisions, projects, and initiatives that expand future opportunity and viability for Minturn.

RECOMMENDED ACTION OR PROPOSED MOTION:

“Motion to approve Resolution 05 – Series 2025 appointing interim town managers as presented.

ATTACHMENTS:

- Resolution 05 – Series 2025

TOWN OF MINTURN

RESOLUTION NO. 05 – SERIES 2025

A RESOLUTION APPOINTING AN INTERIM TOWN ADMINISTRATOR

WHEREAS, Pursuant to Minturn Municipal Code Section 2-3-10, The Town Council shall appoint a Town Administrator who shall be the chief administrative officer of the Town; and

WHEREAS, the Town Administrator tendered her resignation effective February 7, 2025; and

WHEREAS, The Town Council has entered into negotiations with Katie Sickles to appoint as interim Town Administrator for Special Projects and Jay Brunvand as in-house interim Town Administrator.

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

William Powell is hereby appointed Interim Town Administrator; and

The Mayor is authorized to sign an agreement and such other documents as are reasonably necessary with Katie Sickles and Jay Brunvand concerning the scope of work and expenses related thereto.

INTRODUCED, READ, APPROVED AND ADOPTED this 5th day of February, 2025.

EARLE BIDEZ, MAYOR

ATTEST:

JAY BRUNVAND, TOWN CLERK

PROFESSIONAL SERVICES AGREEMENT

This PROFESSIONAL SERVICES AGREEMENT (the “Agreement”) is made and entered into this ____ day of January 2025 by and between the TOWN OF MINTURN, Colorado, a home rule municipality (“Minturn” or the “Town”), and KATHEEN ANN SICKLES (the “Contractor”).

WHEREAS, the Town is in the process of filling a vacancy for a full-time, permanent Town Manager position; and

WHEREAS, the Town desires that Contractor perform government management and project consultation services as an interim Town Manager as an independent contractor, in accordance with the provisions of this Agreement and more fully described in the proposal attached as **Exhibit A** (the “Services”); and

WHEREAS, Contractor desires to perform the Services and such related duties as are reasonably required pursuant to the terms and conditions provided for in this Agreement and **Exhibit A**; and

WHEREAS, the Parties hereto desire to set forth certain understandings regarding the services in writing.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, the Parties agree as follows:

1. **Services.** The Town agrees to retain Contractor to provide the Services, and Contractor agrees to so serve. Contractor warrants and represents that it has the requisite authority, capacity, experience, and expertise to perform the Services in compliance with the provisions of this Agreement and all applicable laws and agrees to perform the Services on the terms and conditions set forth herein. All Services shall be performed in a good and workmanlike manner and in conformance with the standard of care in the industry in Colorado.

2. **Compensation.** The Town agrees to pay Contractor at a rate equal to \$150 per hour for performance of the Services. Contractor shall not work nor bill more than 100 hours per month with work on average of 20 hours per week. Work in excess of 100 hours per month must receive prior approval from the Mayor. Contractor will be reimbursed for out-of-pocket expenses for travel, lodging, and meals (while traveling to/from or staying in Minturn) so long as such amount does not exceed \$3,000 per month. Travel will be reimbursed at the at the IRS rate. Out of pocket expenses shall be coordinated with the Town so the Town can utilize discounts or local arrangements it may have. The Town shall make payment within thirty (30) days of receipt and approval of invoices submitted by Contractor, which invoices shall be submitted to the Town not more frequently than monthly and which shall identify the specific Services performed for which payment is requested.

3. **Term.** The Term of this Agreement shall be for no longer than one year.

4. **Monitoring and Evaluation.** The Town reserves the right to monitor and evaluate the performance of Contractor to ensure that the terms of this Agreement are being satisfactorily met in accordance with the Town's reasonable needs and expectations. Contractor shall cooperate with the Town relating to such evaluation.

5. **Ownership of Instruments of Service.** The Town acknowledges the Contractor's work product, including electronic files, as instruments of professional service. Nevertheless, the work product prepared under this Agreement shall become the property of the Town upon completion of the services and payment in full of all monies due to the Contractor. Contractor shall provide its own computer, automobile and other instruments required to perform the Services.

6. **Independent Contractor.** The Parties agree that the Contractor shall be an independent contractor and shall not be an employee, agent, or servant of the Town. Contractor is not entitled to workers' compensation or unemployment benefits from the Town and is obligated to pay federal and state income tax on any money earned pursuant to this Agreement. Contractor shall execute the Certification of Exemption of Workers Compensation Insurance on **Exhibit B**.

7. **Insurance Requirements.**

a. Comprehensive Automobile Liability Insurance. Contractor shall procure and keep in force during the duration of this Agreement a policy of comprehensive automobile liability insurance insuring Contractor against any liability for personal injury, bodily injury, or death arising out of the use of motor vehicles and covering operations on or off the site of all motor vehicles controlled by Contractor which are used in connection with the Project, whether the motor vehicles are owned, non-owned, or hired, with a combined single limit of at least one hundred thousand dollars (\$100,000.00). The limits of said insurance shall not, however, limit the liability of Contractor hereunder.

b. Evidence of Coverage. Before commencing work under this Agreement, Contractor shall furnish to the Town certificates of insurance policies evidencing insurance coverage required by this Agreement. Contractor understands and agrees that the Town shall not be obligated under this Agreement until Contractor furnishes such certificates of insurance.

8. **Termination.**

a. For Convenience. Either Party may terminate this Agreement without cause if it determines that such termination is in its best interest. The Party shall affect such termination by giving written notice of termination, specifying the effective date of termination, at least twenty-one calendar days prior to the effective date of termination. In the event of such termination by the Town, the Town shall be liable to pay Contractor for Services performed as of the effective date of termination but shall not be liable to Contractor for anticipated profits. Contractor shall not perform any additional Services following receipt of the notice of termination unless otherwise instructed in writing by the Town.

b. For Cause. If, through any cause, Contractor fails to fulfill its obligations under this Agreement in a timely and proper manner, violates any provision of this Agreement, or violates any applicable law, and does not commence correction of such nonperformance or violation within one calendar days of receipt of written notice and diligently complete the correction thereafter, the Town shall have the right to terminate this Agreement for cause immediately upon written notice of termination to Contractor. In the event of such termination by the Town, the Town shall be liable to pay Contractor for Services performed as of the effective date of termination, but shall not be liable to Contractor for anticipated profits. Contractor shall not perform any additional Services following receipt of the notice of termination. Notwithstanding the above, Contractor shall not be relieved of liability to the Town for any damages sustained by the Town by virtue of any breach of this Agreement, and the Town may withhold payment to Contractor for the purposes of setoff until the exact amount of damages due to the Town from Contractor is determined.

c. Payment upon Termination. In the event that this Agreement is terminated, Contractor shall be entitled to payment for its costs and services performed, up through the date of termination, less allowances for services rendered contrary to this Agreement.

10. **Agreement Subject to Appropriation.** To the extent this Agreement constitutes a multiple fiscal year debt or financial obligation of the Town, it shall be subject to annual appropriation pursuant to the Town of Minturn Municipal Code and Article X, Section 20 of the Colorado Constitution. The Town shall have no obligation to continue this Agreement in any fiscal year in which no such appropriation is made.

11. **Responsibilities.** The Contractor shall be responsible for all damages to persons or property caused by the Contractor, its agents, employees, or subcontractors, to the extent caused by its negligent acts, errors, and omissions hereunder.

12. **Entire Agreement.** This Agreement, along with any addendums and attachments hereto, constitutes the entire agreement between the Parties. The provisions of this Agreement may be amended at any time by the mutual consent of both Parties. The Parties shall not be bound by any other agreements, either written or oral, except as set forth in this Agreement.

13. **Governing Law and Venue.** This Agreement shall be governed by the laws of the State of Colorado, and venue shall be in the County of Eagle, State of Colorado.

14. **Governmental Immunity Act.** No term or condition of this Agreement shall be construed or interpreted as a waiver, express or implied, of any of the immunities, rights, benefits, protections, or other provisions of the Colorado Governmental Immunity Act, C.R.S. § 24-10-101 *et seq.*

15. **Assignability.** Contractor shall not assign this Agreement or subcontract any of the Services to a third-party.

16. **Binding Effect.** This Agreement shall be binding upon, and shall inure to the benefit of, the Parties hereto and their respective heirs, personal representatives, successors, and assigns.

17. **Survival Clause.** The “Indemnification” provision set forth in this Agreement shall survive the completion of the Services and the satisfaction, expiration, or termination of this Agreement.

18. **Severability.** In the event a court of competent jurisdiction holds any provision of this Agreement invalid or unenforceable, such holding shall not invalidate or render unenforceable any other provision of this Agreement.

19. **Headings.** Paragraph headings used in this Agreement are for convenience of reference and shall in no way control or affect the meaning or interpretation of any provision of this Agreement.

20. **Authority.** Each person signing this Agreement, and any addendums or attachments hereto, represents and warrants that said person is fully authorized to enter and execute this Agreement and to bind the Party it represents to the terms and conditions hereof.

21. **Attorneys’ Fees.** Should this Agreement become the subject of litigation between the Town and Contractor, the prevailing Party shall be entitled to recovery of all actual costs in connection therewith, including but not limited to attorneys’ fees and expert witness fees. All rights concerning remedies and/or attorneys’ fees shall survive any termination of this Agreement.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date first above written.

TOWN OF MINTURN, COLORADO

Michelle Metteer, Town Manager

ATTEST:

Town Clerk

CONTRACTOR

Kathleen Ann Sickles

EXHIBIT A

Interim Town Manager Job Description

Manages and administers the following capital projects and associated grants on budget and timeline:

- o Water Treatment Plant (WTP) Design & Engineering:** work with the contracted WTP Engineering firm, HDR, Inc. to ensure 90% WTP design and engineered drawings are completed for the State Revolving Fund application date of January 2026. This will include the application and administration process with the EPA for obtaining the approved \$3M in Congressionally Directed Spending Funds.

- o Bellm Bridge Design & Engineering –** work with Minturn’s contracted civil engineering firm, Inter-Mountain Engineering, for the process to obtain engineered drawings to replace Bellm Bridge with a new truss bridge. Work with the CDOT Bridge Grant and the Special Highway Committee for the execution of Minturn’s Off-System Bridge Program grant award.

- o North Main Street Pedestrian Improvements (Railroad Ave) –** work with Inter-Mountain Engineering for the execution of the Revitalizing Main Streets grant awarding the installation of a sidewalk along Railroad Ave along with other pedestrian safety improvements.

- o Tank #2 / Steel Bolted Tank repairs –** work with HDR Engineering and Minturn’s water treatment plant operator, John Volk, to execute the repairs necessary to rehabilitate Minturn’s water tank #2
- o Pressure Reducing Valve (PRV) Master Meter Housing upgrades –** work with John Volk and HDR Engineering to implement improvements to the Master Meter housing allowing for both water tank #2 and tank #3 to operate at full capacity.

- o Repaving of Taylor Street –** work with Inter-Mountain Engineering to execute the community planning process and subsequent RFP for the construction of the repaving of Taylor St

- o Little Beach Park Retaining Wall repair/replacement –** work with Inter-Mountain Engineering to prepare for the repair and replacement of the Little Beach Park retaining wall and interior access road. This will include the execution of the Department of Local Affairs (DOLA) EIAF grant associated with the work.

- o Main St / US HWY 24 Phase II Sidewalk construction –** oversee the RFQ process for obtaining a construction management firm as well as the process for obtaining a construction firm for the installation of sidewalks, curb, gutter and drainage along the project area of Main Street. Execute the associated CDOT revitalizing Main Streets grant and the associated DOLA EIAF grant as both support this project financially.

- **Works with the Town staff and a variety of consultants for the execution of the above capital projects**
- **Provide project updates to the Town Council monthly**
- **Support KRW & Associates with the process of hiring a permanent town manager**
- **Maintain effective working relationships with elected officials, representatives of local, state and federal agencies, local civic organizations, the media and others involved with the associated Town capital projects.**
- **Receives, reviews and/or approves various records and forms for the execution of grants as appropriate.**
- **Attend virtual or in-person meetings to represent Minturn on a regional and state level as recommended by the Town Council**
- **Other duties as assigned**

EXHIBIT B

**CERTIFICATE OF EXEMPTION FROM STATUTORY WORKERS'
COMPENSATION LAW AND ACKNOWLEDGEMENT OF RISK/HOLD HARMLESS
AGREEMENT.**

("Contractor") certifies to the Town of Minturn (the "Town") that it is exempt from the provisions of the Colorado Workers' Compensation Act.

If Contractor has any employees who will perform the Services or subsequently employs any person to perform the Services as set forth in this Agreement (other than subcontractors, who are not considered employees for the purposes of workers' compensation), it agrees to provide the Town with a Certificate of Insurance as required by the Agreement indicating proof of statutory workers' compensation coverage on such persons prior to their start of work for the Town.

Contractor acknowledges that it will be engaging in activities which exposes it to the risk of bodily injury, that it is physically capable of performing the activities, and that all necessary precautions to prevent injury to Contractor and others will be taken. Contractor shall not hold the Town liable for any injuries sustained, by it or others, which may arise out of or in the course of the work performed for or on behalf of the Town, and Contractor agrees to defend, indemnify, and hold harmless the Town from all such claims.

CONTRACTOR

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



Minturn Planning Commission
 Chair – Lynn Teach
 Jeff Armistead
 Michael Boyd
 Amanda Mire
 Eric Rippeth
 Darell Wegert

Conditional Use Permit Hearing

Conditional Use Permit for New Distillery 161 Main Street and 161 Nelson Avenue

Hearing Date:	February 5, 2025
File Name and Process:	Minturn Whisky Company Distillery Final Plan and Conditional Use Permit Review
Owner/Applicant:	Stefanie and Spence Neubauer
Representative:	Robert Creasy
Legal Description:	Mackedon & Rathburns Block C Lot 1 and Part of Lot 2
Address:	161 Main Street and 161 Nelson Avenue
Zoning:	Old Town Character Area – 100 Block A Zone District
Staff Member:	Madison Harris, Planner I
Recommendation:	Approval, with Conditions

Staff Report

This report includes both Design Review Board criteria and findings as well as Conditional Use Permit criteria and findings. Staff respectfully requests the Town Council focus their review on the Conditional Use Permit analyses by staff starting on page 7 of this staff report and the Conditional Use Permit findings on page 6.

I. Summary of Request:

The Applicants, Spence and Stefanie Neubauer, request a Conditional Use Permit review of a new, 3,597 square foot distillery located at 161 Main Street and 161 Nelson Avenue in the Old Town 100 Block A Zone District. The Planning Commission acting as the Design Review Board have approved the design plans of the distillery. The Applicant has provided a relatively complete and thorough set of site, landscaping, and architectural plans allowing staff and the DRB to conduct a final plan level review of the project.

Proposed Plans

The plans show a two level structure with a max height measured to the midpoint of the roof of 23 feet above proposed grade. The height of the proposed structures appear to be within the maximum 35-foot allowable within the Old Town 100 Block A Zone District.

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

Parking is not required for a commercial building within the Old Town 100 Block A Zone District, however there is one loading space provided.

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

Staff believes that the Applicant has provided a complete, detailed set of plans necessary to complete a thorough final plan review.

Staff and the Planning Commission are **recommending approval, with conditions.**

II. Summary of Process and Code Requirements for DRB:

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

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

A variance has already been approved via Resolution 51 – Series 2024 to allow encroachment into the rear setback.

Design Review Process

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

(d) Administrative procedure.

(1) Upon receipt of a completed and proper application, the application for Design Review will be scheduled for a public hearing. The hearing will be conducted in accordance with the procedures set forth in this Chapter.

(2) Criteria and findings. Before acting on a Design Review application, the Planning Commission, acting as the Design Review Board (DRB), shall consider the following factors with respect to the proposal:

a. The proposal's adherence to the Town's zoning regulations.

- b. *The proposal's adherence to the applicable goals and objectives of the Community Plan.*
- c. *The proposal's adherence to the Design Standards.*

(3) *Necessary findings. The Design Review Board shall make the following findings before approving a Design Review application:*

- a. *That the proposal is in conformance with the Town zoning regulations.*
- b. *That the proposal helps achieve the goals and objectives of the Community Plan.*
- c. *That the proposal complies with the Design Standards.*

Staff suggests that the final plans for 161 Main Street and 161 Nelson Avenue meet or can be revised to meet the required findings 'a,' 'b,' and 'c' or subparagraph 3 – *Necessary findings.*

III. **Zoning Analysis:**

Zoning

The subject property is located within the “Old Town Character Area” 100 Block: A Zone District, described as follows:

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

- Town of Minturn Town Code Section 16-6-35

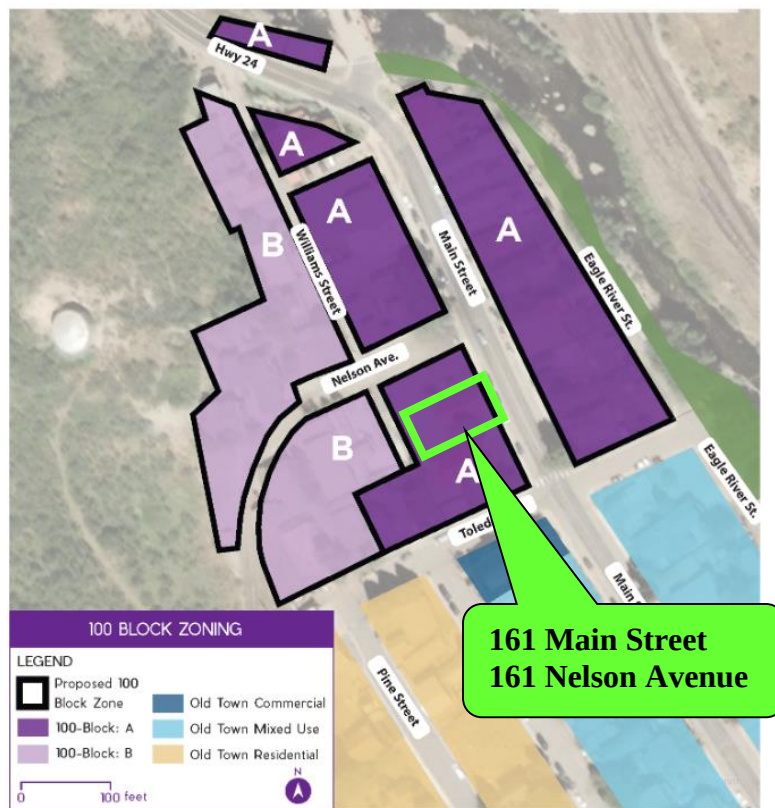


Figure 1: 100 Block Zoning Map

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/Maximum Lot Area:	2,500 / 7,500 sq. ft.	4,990 sq. ft. (.115 ac.)
Maximum Building Height:	35 feet	23 feet*
Minimum Front Setback:	5 ft. minimum / 20 ft. maximum 15 ft. minimum for 40% of lot frontage	5 feet / 15 feet
Minimum Side Setback:	5 feet	5 feet
Minimum Rear Setback:	30 feet	10 feet**
Maximum Lot Coverage:	80% (3,992sq. ft.)	3,092 sq. ft. (61.96%) Proposed
Maximum Impervious Coverage:	90% (4,491 sq. ft.)	4,401 sq. ft. (88.2%) Proposed
Minimum Snow Storage Area:	5% of Lot	269 sq. ft.

	(4,990 sq. ft. x .05 = 249.5 sq.ft.)	
Parking:	0 spaces	1 space

* Sec. 16-17-60. – Building height exceptions states that height limitations in Chapter 16 shall not apply to cupolas, however they shall not exceed the maximum building height by more than ten (10) feet. The roof is measured at 23 feet with an eight foot four inch (8 ft. 4 in.) cupola on top of that, well within the 35 foot allowable height in 100 Block: A.

** Resolution 51 – Series 2024 approved a variance allowing for relief from the rear setback from thirty feet (30’) to ten feet (10’) for the first floor of the building measured to a fourteen foot (14’) eave height and relief from the rear setback from thirty feet (30’) to twenty feet (20’) for the second floor of the building measured to a twenty foot (20’) eave height.

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 structures within required setbacks, thus allowing for full use of side yard areas for snow shed and drainage. Likewise, the site plan and final grading details generally demonstrate that proper (positive) grading will be directed away from the structure; that drainage is handled on the subject property.

Mass and Form

The following excerpts from the Design Guidelines should be considered by the Design Review Board when reviewing the proposed project:

Appendix B (II)(A)(2)(c) – Building Details

“Create interest in the primary wall plate with porches, balconies, recessed walls and decks (as well as overhangs, eaves, dormers, cantilevers, awnings and similar features).”

Staff Response:

Staff believes that the design and scale of the proposed structures “stepping” and creates visual interest, and is complimentary to adjacent structures and character on nearby parcels. Staff further suggests that the scale of the project is appropriate and will not overpower surrounding natural and built environments. Proposed roof forms and pitches, materials and textures are compatible and complimentary to the surrounding environments.

V. Summary of Process and Code Requirements for Conditional Use Permit:

This is a Conditional Use Permit (CUP) review by the Town of Minturn Town Council, acting as the Town of Minturn Zoning Board of Appeals – the body responsible for review of CUPs and for decisions of approval, approval with conditions, or denial of CUP requests in accordance with the standards, criteria and findings outlined in Section 16-21-620 – *Conditional Use*, Minturn Municipal Code. Below are definitions that staff believes are relevant:

Conditional use means a use listed in the Character Area use tables and permitted upon approval of the Town Council upon showing that such use in a specified location will comply with the conditions and standards for the zone and location proposed.

Conditional use permit means a use permit issued by the Town stating that the conditional use meets all the standards and conditions set forth in this Chapter.

Manufacturing, light means an establishment engaged in manufacturing, assembly, compounding, processing, packaging, treatment or distribution of projects, including primary product production from raw materials or production of services, but excluding establishments which produce or emit toxic or noxious gases, odors or fumes, excessive noise, vibration or electrical interference or similar substances or conditions onto adjacent or other properties; or dangerous to the comfort, peace, enjoyment, health and safety of the community.

Specifically, the Planning Commission's recommendation and any action of the Town of Minturn Town Council should be based on the following standards and findings:

(e) Conditions and procedure of issuance.

(1) The Town Council may approve the application as submitted or may approve the application subject to such modifications or conditions as it deems necessary to accomplish the purpose of this Article, or the Town Council may deny the application. A conditional use permit may be revocable, may be granted for a limited time period or may be granted subject to such other conditions as the Town Council may prescribe. Conditions may include, but shall not be limited to, requiring special setbacks, open spaces, fences or walls, landscaping or screening and street dedication and improvements; regulation of vehicular access and parking, signs, illumination and hours and methods of operation; control of potential nuisance; prescription of standards for maintenance of buildings and grounds; and prescription of development schedules.

(d) Administrative procedure.

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

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

- a. The relationship and impact of the use on the community development objectives of the Town.*
- b. The effect of the use on distribution of population, transportation, utilities, schools, parks and recreational facilities and other public facilities and public facility needs.*
- c. The effect upon traffic, with particular reference to congestion, automotive and pedestrian safety, traffic flow and control, access, maneuverability and snow removal.*
- d. The effect upon the character of the area in which the proposed use is to be located, including the scale and bulk of the proposed use in relation to surrounding uses, the amount of noise, lighting and glare, dust and compatibility of the use with the Character Area it is in and surrounding areas.*
- e. Necessary findings. The Planning Commission and Town Council shall make the following findings before making a recommendation or decision that a conditional use permit be granted:*
 - 1. That the proposed location of the use is in accordance with the purposes of this Chapter, the Community Plan and the purposes of the zone in which the site is located.*
 - 2. That the proposed location of the use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.*
 - 3. That the proposed use will comply with each of the applicable provisions of this Chapter.”*

VI. Staff Findings and Analysis:

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

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

Staff Response:

Chapter 2: A Thriving 100 Block

“Objective 2.1 Implement a framework for **redevelopment and growth** in the 100 Block that contributes to Minturn’s character and **economic development**.”

“Objective 2.6 **Invest in continuous placemaking improvements to support the 100 Block as a vibrant, central community gathering place**; improve connectivity to the riverfront area and nearby amenities.”

Chapter 3: An Economically Vibrant Community: Commercial Development & Industry

“Objective 3.3 **Pursue land use changes that support Minturn’s tax base and economic growth**; plan future development on important catalyst sites, including Dowd Junction.”

“Objective 3.6 **Ensure that the Town’s zoning and development code supports and encourages commercial development and redevelopment in key commercial districts while preserving historic character**.”

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

Staff Response:

The distillery likely will have material impact or effect on transportation within the area as people frequent the business, however the distribution of population, utilities, schools, parks and recreational facilities and other public facilities and/or needs should be minimally impacted.

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

Staff Response:

Any use built on this lot is likely to have impact on local traffic, congestion, pedestrian safety, traffic flow and control, access, maneuverability and snow removal in the immediate vicinity of the subject property. These impacts would not be specifically because of the Light Manufacturing for the distillery.

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

Staff Response:

Staff believes that this will not have a negative effect upon the character of the area. This zone district is designated to be primarily commercial, and as such supports the development of this lot. The scale of the building is actually smaller than the 100 Block Design Guidelines allow for and so should have less visual impact. There is likely to be noise and lighting that this building will be the source of, but it should comply with the Town’s regulations in regards to both.

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

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

Staff Response:

Generally, the subject site is located within a historically commercial area. The Town's master plan and guiding policy statements for the Old Town Character Area 100 Block A Zone District anticipate a mix of commercial types:

"This district was updated concurrent to the Community Plan update and includes two subareas: 100 Block A (properties fronting onto Main Street) and 100 Block B (properties to the west of Main along Williams). The intent of this district is to incentivize sales-tax generating uses and the reuse of existing structures, while new construction is required to fit in with the rest of the 100 Block through new design standards and guidelines."

- 2023 Imagine Minturn Community Plan Chapter 1, pg. 21

It should be noted that the Community Plan does provide goals and strategies geared toward supporting commercial. As such, staff suggests that the use proposed is in accordance with this criteria.

A primary purpose of the Conditional Use Permit review is to ensure that permitted uses are compatible with their locations and surrounding land uses and will further the purposes of the Community Plan and Chapter 16.

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

Staff Response:

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

Within the variance hearing there was brought up by a member of the public concern for the possibility of "whisky fungus". The Applicant reached out to an expert on the matter, Dr. James Scott, and per the attached email the risk of this being an issue is minimal due to the small scope of the production as well as the dry climate that we live in.

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

Staff Response:

Staff believes that this finding can be met.

VII. Issues and Areas of Non-Conformance:

Issues or Required Plan Revisions

There are no issues identified by staff.

VIII. Summary of January 8, 2025 Planning Commission Meeting:

The Planning Commission liked the design of the structure. The main topics of discussion were clear vision sight triangles on the corners of the building and ensuring that the loading dock remains a loading dock space. After looking at the Code and discussion during the hearing, it was determined that the sight triangles provided were adequate. Concerning the loading dock, the Planning Commission implemented a condition that encourages the Applicant to install signage not allowing parking in the loading dock and directing people to park in the Municipal lot.

Two members of the public spoke at the hearing, one supportive of the project and one against. Mr. Flaherty who spoke out against the project believes that the variance should be revoked as they are not providing parking, and that any risk of “whisky fungus” is not acceptable. Staff explained after public comment that due to this being a solely commercial building that no parking is required to be provided. The Applicant explained that there should not be any problem from the fungus due to our climate and the conditions needed for that becoming an issue is based on the amount of barrels stored on the lot which needs to be far in excess of what they are capable of storing.

Any written public comment received is attached to this staff report.

IX. Planning Commission Recommendation and Suggested Conditions:

Staff and the Planning Commission suggest that the Final Plans for 161 Main Street and 161 Nelson 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 Town Council approves of the Conditional Use Permit, the following conditions of approval are suggested by the Planning Commission.

1. The Amended Final Plat combining the two lots shall be completed prior to building permit issuance.
2. Signage is encouraged to not allow parking in the loading dock and directing people to park in the Municipal lot.
3. That the testimony given in regards to the loading dock remaining a loading dock is binding.

Madison Harris

From: Stefanie Neubauer <stef@erwhisky.com>
Sent: Monday, December 9, 2024 12:58 PM
To: Scot Hunn; Madison Harris; Robert Creasy; Spence Neubauer
Subject: Fwd: Environmental blackening around distilleries

Hey all!

I wrote to Dr. James Scott in Toronto this morning asking if he felt comfortable putting his zoom statements into writing and he just sent this back to me! I am delighted!

Thanks you all!
Stef

*personal cell 303-895-4369
business cell 970-763-8660
stef@erwhisky.com*

**EAGLE RIVER
WHISKY**
Minturn E\W\R Colorado

Begin forwarded message:

From: James Scott <james.scott@utoronto.ca>
Subject: Environmental blackening around distilleries
Date: December 9, 2024 at 12:49:09 PM MST
To: Stefanie Neubauer <neubauer.stef@gmail.com>

Dear Stefanie,

In my experience, small numbers (<20,000) of spirit barrels emit insufficient ethanol vapour to result in fungal blackening of nearby outdoor surfaces. You mentioned you intend to age far fewer barrels than this on-site over the long-term, and therefore my expectation is that if you see any fungal blackening at all, it will be limited to the immediate proximity of your aging facility. Given that your premises are at elevation in a relatively dry climate, I believe the likelihood your facility emissions will contribute to non-trivial fungal blackening in the local area is further diminished.

I encourage you to take a series of baseline photographs of the areas around your aging facility that you might compare at points in the future to determine any divergence from my prediction. It may be useful also to collect and archive weather data to better understand your local climate, as your facility is rather distant from nearby weather stations and thus the local conditions are likely to be different.

From everything I know, I would not hesitate to be your neighbour!

Best wishes,

James

--

James Scott, PhD, ARMCCM

Professor

Division of Occupational & Environmental Health, Dalla Lana School of Public Health
& Department of Laboratory Medicine and Pathobiology, Temerty Faculty of Medicine
University of Toronto

223 College Street, Toronto ON CANADA M5T 1R4

Tel: 416 956-8778

Fax: 416 978-2608

Em: james.scott@utoronto.ca

UAMH Fungal Biobank: <http://www.uamh.ca>

University Profile: <http://www.dlsph.utoronto.ca/faculty-profile/scott-james-a/>

Commercial Laboratory: <http://www.sporometrics.com>

Madison Harris

From: Minturn CO <noreply@civicplus.com>
Sent: Wednesday, January 8, 2025 4:02 PM
To: Madison Harris
Subject: EAGLE RIVER WHISKEY CONDITIONAL USE

Name: GORDON P FLAHERTY
Email: hawkeyef33@gmail.com

Message: We apologize for the late submittal. The reason is I was at a funeral in Reno and have just returned. Regarding tonight’s conditional use we, the residents at 160 Main St and 142 Main St. ask that you DENIE the conditional use because of the potential environmental damage caused by distilleries. In particular the creation of BLACK FUNGAS created as a byproduct of the distilling process. The small amount of tax revenue the business will produce is not worth the damage to the downtown area it has the potential to inflict. There are better business suited for that lot that will not have to apply for a conditional use and do not have the potential to create an environmental nightmare that a distillery has. Sincerely, Frank G Sanders 142 Main St. Hawkeye Flaherty 160 Main St. BLACK FUNGUS CAUSED BY DISTILLERIES What is the black mold around distilleries? Distillery fungus also known as Whiskey fungus, Rum fungus, and Warehouse Staining fungus is a black fungus known as Baudoinia compniacensis. While it is black in color, this is not Stachybotrys, often referred to as black mold. Why are bourbon distilleries black? Indeed, plant diagnostics and the distilling of spirits converged with observations of a black, sooty-mold-like growth covering plant stems and leaves as well as various structures at the distillery. The fungus responsible for the black, crusty growth is Baudoinia compniacensis. Can mold survive distillation? Mold can indeed grow in distilled water. The fungus does not ordinarily survive temperatures of 52 °C or higher when moisture is present, but can be pre-adapted to survive this temperature by prior heat or ethanol exposure. How do you prevent whiskey fungus? Pressure washing and hand washing with bleach are both common ways to remove this velvet-like fungus from your home's exterior. Health officials recommend wearing an N95 respirator when removing this fungus. Unfortunately, there aren't any preventive measures to avoid the accumulation of whiskey fungus. Why do trees turn black around distilleries? The black staining common at some distilleries is not caused by soot but by a sooty mould named Baudoinia compniacensis, also known as the Whisky Fungus. It is caused by the release of ethanol vapors release at a distillery. What are the 10 warning signs of mold toxicity? Although symptoms can vary, the most common symptoms seen in people exposed to mold indoors include: • Nasal and sinus congestion. • Eye irritation, such as itchy, red, watery eyes. • Wheezing and difficulty breathing. • Cough. • Throat irritation. • Skin irritation, such as a rash. • Headache. Can mold grow during fermentation? Molds can grow on the surface of the ferment at the air interface. Mold growth can occur anytime during the fermentation process and is a sign of a failed fermentation. If you confirm mold growth on any part of a ferment, it should be immediately discarded. Mold is typically green, blue, brown, or black in color. Why are bourbon distilleries black? Indeed, plant diagnostics and the distilling of spirits converged with observations of a black, sooty-mold-like growth covering plant stems and leaves as well as various structures at the distillery. The fungus responsible for the black, crusty growth is Baudoinia compniacensis. Can the released ethanol vapor impact my health? Airborne ethanol has chronic non-cancer health effects at concentrations of 2,200 µg/m3 or higher, as determined by the American Conference of Governmental Industrial Hygienists (ACGIH). Air modeling by the Indiana Department of Environmental Management (IDEM) of the proposed MGPI warehouse in Suman, IN determined a peak concentration of almost 1,300 µg/m3, which is a level that is not expected to cause individuals to

experience respiratory distress due to the ethanol vapor. Ethanol degrades quickly in the environment. We would expect any ethanol that enters the soil or surface water to biodegrade before it had time to enter the aquifer. Distilleries can mitigate black mold, specifically the "whiskey fungus" (*Baudoinia compniacensis*), by implementing measures to control ethanol vapor emissions, the primary food source for the fungus. Methods to Mitigate Black Mold:

- **Thermal Oxidizers:** Installing thermal oxidizers in warehouses can decompose ethanol vapor into less harmful compounds, effectively starving the fungus.
- **Air Filtration Systems:** Implementing air filtration systems can limit ethanol emissions and reduce the fungus's growth.
- **Vapor Collection and Burning:** Some distilleries have systems that collect and burn ethanol vapors, reducing their release into the environment.
- **Reducing Ethanol Emissions:** Optimizing processes and equipment to minimize ethanol vapor release can help reduce the fungus's growth.
- **Cleaning and Removal:** Regular cleaning and removal of the fungus from surfaces using high-pressure water jets, bleach, or other cleaning agents can help manage the problem.
- **Coating Solutions:** Research is being conducted on specialized coatings for tanks and other surfaces that can inhibit the growth of the fungus.

Current Challenges and Perspectives:

- **Cost:** Implementing solutions like thermal oxidizers can be expensive and may not be feasible for all distilleries.
- **Impact on Taste:** Some distilleries argue that using thermal oxidizers might affect the taste of their products, although other distilleries disagree.
- **Regulations:** Some areas have regulations that address the issue of whiskey fungus, but the regulations are not uniform across the country.
- • • • **Community Impact:** The presence of whiskey fungus can negatively impact the surrounding environment and communities, leading to concerns about air quality and aesthetics.

Items for Council Presentation

Variance Findings required. The Planning Commission and Zoning Board of Appeals shall make the following findings before granting a variance.

(1)

There are exceptional or extraordinary circumstances or conditions applicable to the site of the variance that do not apply generally to other properties in the same zone.

(2)

The exceptional or extraordinary circumstances of the site create a situation in which the strict, literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of this Chapter.

(3)

That the granting of the variance will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity and will not result in substantial impairment to the purposes of this Chapter.

(4)

There is no substantial impairment to the public that would result from the granting of the variance.

APPENDIX B - MINTURN DESIGN STANDARDS AND GUIDELINES

4. - 100 BLOCK COMMERCIAL ZONES

STRUCTURE OF SECTION

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

XX.1 THIS IS A TOPIC OR PRINCIPLE.

A. This is a standard (rule).

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

SD.1 Street Design

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

C. Main Street requires that forty percent (40%) of a property's frontage include a minimum fifteen-foot setback. This area shall be accessible from a public sidewalk.

BD.1 Building Form and Massing.

The maximum length of any wall on the same plane along the front and rear shall be fifty (50) feet and along the sides shall be seventy-five (75) feet. After this dimension, the building wall must shift on a horizontal plane a minimum of three (3) feet.

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

E. Avoid forms that appear monolithic in comparison to the surroundings. Break down the scale of a building when adjacent to smaller structure(s).



Items for Council Presentation

Variance and Findings.

There was no reasonable argument to justify the Findings

APPENDIX B - MINTURN DESIGN STANDARDS AND GUIDELINES

B. - GOALS, OBJECTIVES, AND GUIDING PRINCIPLES

Building Compliance with code.

Does not comply with the design standards and guidelines for development Minturn has developed.

MINTURN COMMUNITY PLAN

The Design Standards and Guidelines within Appendix B of the Town Code outline a framework for the 100 Block that is both practical and inspiring. To achieve the vision for the 100 Block described in this chapter, the Town of Minturn should use the Design Standards and Guidelines to guide future development/redevelopment efforts.

Does not comply with Appendix B Sec 16-6-35 (b)

The purpose of this area is to provide convenient commercial services to residents and visitors and to promote the development of the Town's primary retail commercial district. Accommodation of sales tax-generating commercial uses and non-street level residential units can enhance Old Town vitality while maintaining the visual character and scale.

Street level space within the 100 Block Commercial Zones shall be dedicated to lodging in historic properties and retail uses. Non-street level space within the 100 Block Commercial Zones may be used for compatible retail, office, and residential uses.

Large monolithic buildings and are not allowed.

100 Block Commercial Zones

Sec. 16-6-70. - Old Town Character Area use table the 100 Block B

Manufacturing Light Conditional Use Designation C

Tasting Room Not Allowed

Storage Not Allowed

Warehouse Not Allowed

Sec. 16-3-60. - Use not listed.

Uses that are not listed in the Character Area use tables shall be considered to be uses that are not allowed, unless one (1) of the following occurs:

- (1) Code amendment
- (2) Determination of similar use.

ARTICLE 2 - Definitions, Illustrations and Lot Standards

Sec. 16-2-20. - Definitions

Manufacturing, light means an establishment engaged in manufacturing, assembly, compounding, processing, packaging, treatment or distribution of projects, including primary product production from raw materials or production of services, **but excluding establishments which produce or emit toxic or noxious gases, odors or fumes**, excessive noise, vibration or electrical interference or similar substances or conditions onto adjacent or other properties; **or dangerous to the comfort, peace, enjoyment, health and safety of the community.**

Conditional use **means a use listed in the Character Area use tables and permitted upon approval of the Town Council upon showing that such use in a specified location will comply with the conditions and standards for the zone** and location proposed.

Conditional use permit means **a use permit** issued by the Town **stating that the conditional use meets all the standards and conditions set forth in this Chapter**

Do distilleries produce toxic or noxious gases.

Yes, distilleries can produce toxic or noxious gases, primarily including ethanol vapors which are flammable and can be hazardous in enclosed spaces, along with carbon dioxide generated during the fermentation process, which can be dangerous in high concentrations due to its ability to displace oxygen; depending on the specific process, other potentially harmful gases like sulfur dioxide may also be present.

Key points about distillery gases:

- **Ethanol vapors:**

The main hazardous gas produced in distilleries, flammable and can build up in poorly ventilated areas.

- **Carbon dioxide (CO₂):**

A byproduct of fermentation, can be toxic in high concentrations and cause asphyxiation.

- **Potential for explosions:**

Due to the presence of flammable ethanol vapors, distilleries require proper ventilation and safety measures to prevent explosions.

What are the fumes from distilling?

The process of making hard alcohol, such as whiskey, bourbon and gin is fraught with danger, with the potential for fire occurring from the release of flammable compounds such as ethanol (alcohol).

These vapors can come from leaks in tanks, casks and equipment such as transfer pumps, pipes and flexible hoses.

What are the odors from distilling?

Yes, distilleries definitely produce noticeable odors, particularly during the distillation process, due to the release of various chemical compounds like alcohols, aldehydes, and sulfur compounds, which can smell strong depending on the stage of production and the type of spirit being made; some of these smells can be unpleasant, especially during the "heads" phase when unwanted compounds are removed.

Key points about distillery odors:

Varying smells depending on the process:

The smell of a distillery can change depending on whether they are mashing, fermenting, or distilling, with each stage having its own distinct odor profile.

"Heads" and "tails":

The initial part of the distillation process, called the "heads," often has a harsh, chemical smell due to impurities like sulfur compounds, while the later "tails" can also have undesirable odors.

A by product of producing Whiskey

does whiskey mold need alcohol to continue to grow

Yes, whiskey mold, also known as *baudoinia compniacensis*, needs alcohol to grow. It feeds on the ethanol vapors released from whiskey barrels during the aging process, which is known as the "angel's share".

Explanation

- The fungus grows on the sugar in the ethanol emissions.
- The fungus can spread across any surface it can find, including buildings, trees, cars, and outdoor furnishings.
- The fungus can cause aesthetic and potential property damage.
- The fungus can be removed using high-pressure water jets or bleach.

Factors that contribute to whiskey mold growth

- **Porous wood barrels:** The barrels expand and contract as the seasons change, which allows some of the maturing spirit to evaporate.

- **Alcohol-saturated air:** The air in the warehouse is filled with alcohol vapor.
- **Temperature changes:** Temperature changes can stimulate the growth of the fungus.
- **Nutrient source:** The fungus can feed on the sugar in the ethanol emissions.

This dark, sooty growth feeds on alcohol vapors from barrel-aged whiskey and spreads across any surface it can find.

CLOSING REMARKS

How did Eagle River Whisky acquire a permit or Business License for a manufacturing process that is expressly forbidden in Chapter 16?

Who was responsible for issuing this License?

Madison Harris

From: Madison Harris
Sent: Friday, January 31, 2025 11:25 AM
To: Madison Harris
Subject: FW:

From: Lindsay Mangat <lindsaymangat@gmail.com>
Sent: Monday, January 13, 2025 12:23 PM
To: Jay Brunvand <treasurer@minturn.org>
Subject: Re:

Lindsay Mangat
102 Nelson Ave
Minturn, CO 81645
lindsaymangat@gmail.com
720-641-7256
1/13/2025

Dear Members of the Town Council,

I am writing to express my enthusiastic support for the proposal by Eagle River Whisky/ Minturn Whisky Co. to build an establishment on Main Street that will serve both the local community and visitors. As a resident, I believe this project has the potential to enrich our community while also boosting the local economy.

Eagle River Whisky/ Minturn Whisky Co. has established itself as a cornerstone of craftsmanship and tradition, offering high-quality, locally distilled whisky that reflects the heart and soul of our town. Their little chalet has become a gathering place for many. By creating a welcoming space where people can continue to gather, learn about the distilling process, and enjoy a drink in a community-focused setting, this new spot will not only celebrate the distillery's legacy but also contribute to the social fabric of Main Street.

The establishment will likely attract tourists, increase foot traffic for nearby businesses, and offer local employment opportunities. With its focus on creating an inviting, responsible environment, I believe it will be a positive addition to our town and a great asset to our local economy.

I urge the Town Council to approve this proposal and allow Eagle River Whisky/ Minturn Whisky Co. to move forward with their vision.

Thank you for your time and consideration.

Sincerely,
Lindsay



CONDITIONAL USE PERMIT APPLICATION

Section 10, Item C.

TOWN OF MINTURN PLANNING AND ZONING DEPARTMENT

P.O. Box 309 - 302 Pine Street- Minturn, Colorado 81649-0309

Phone: 970-827-5645

Email: planner@minturn.org

Project Name:

Minturn Whisky Company

Project Location

Street Address: 161 Main St and 161 Nelson Ave

Legal Description (Lot, Block, Subdivision):

Subdivision: MACKEDON & RATHBURNS Block: C Lot: 1 PT OF BK-0363 PG-0322 QCD 05-26-81 &
Subdivision: MACKEDON & RATHBURNS Block: C Lot: 1 AND:- Lot: 2 PT OF BK-0235 PG-0908 QCD 08-02-74

Parcel Number(s):

2103-263-11-002 & 2103-26

Application Request:

Allow Light Manufacturing in the 100 Block: A zone for a future distillery. Main street frontage will be tasting room in the evening (Cocktail lounge/Tavern) and coffee shop in the morning (Restaurant)

Applicant:

Name: Stefanie and Spence Neubauer

Mailing Address: PO Box 1253, Minturn, CO 81645

Phone: 970-763-8660

Email: spence@minturnwhisky.com

Property Owner:

Name: Eagle River Holdings Ltd

Mailing Address: PO Box 1253, Minturn, CO 81645

Phone: 970-763-8660

Email: spence@minturnwhisky.com

Required Information:

Lot Size: 4,990 sq ft	Type of Residence (Single Family, ADU, Duplex) N/A	# of Bedrooms N/A	# On-site Parking Spaces 0
# of Stories: 2	Snow storage sq ft: 269	Building Footprint sq ft: 3,092	Total sq ft Impervious Surface: 4,401

Signature:

\$800+ Costs attributable to the review by consultant time are billed at actual hourly rates. Cost assessed after first hour.

Fee Paid: _____ Date Received: _____ Planner: _____

EAGLE RIVER HOLDINGS LTD

Eagle River Holdings Ltd

Minturn Whisky Company

161 Main Street

PO Box 1253

Minturn, CO 81645

September 23, 2024

Town of Minturn

302 Pine Street

PO Box 302

Minturn, CO 81645

To Town of Minturn Planning Department,

**Re: Letter of Intent for Conditional Use Permit of 161 Main Street and
161 Nelson Ave****Relevant Background:**

The lot at 161 Main Street and 161 Nelson Ave once housed the well-known local bike shop, the Mountain Pedaler. The previous owner, MR Minturn, purchased the property in 2017, and the building was demolished in 2019, leaving the lot vacant. In late 2023, the owner of Minturn Whisky Company (formerly Eagle River Whisky) acquired the property with the intention of redeveloping it to better serve the community and visitors.

Current Status of the Site:

In spring 2024, a temporary shed structure was built on the lot and is currently operating as a whisky tasting room under a Limited Use Permit granted by the town. This permit allows the space to function as a tasting room, with occasional food trucks and farmers markets providing additional offerings.

Proposed Uses and Structures:

The proposed project includes the construction of one structure to house the tasting room on the Main Street frontage and the distillery in the rear. The front commercial space will serve as a whisky tasting room in the afternoon and evening hours. In the mornings, the space may be utilized as a coffee shop offering espresso drinks and breakfast snacks, allowing the business to serve the community throughout the day.

On the Nelson Ave frontage, there will be an entrance to a small (~150 ft²) area that could possibly be a co-working, meeting, or retail space. There will be a bookcase/hidden door that provides a “speakeasy” entrance into the tasting room.

The proposed use in the rear of the building will be Light Manufacturing for distilling, proofing, and bottling whisky. Minimal barrel storage will be utilized on site (less than 100 barrels/5300 gallons). This space will be open to the public for daily distillery tours and an occasional event space (e.g. fly-tying nights, bachelor/ette parties, corporate team-building, etc.). Additionally, the distillery will be an educational space for visitors and industry partners. The scalable, sustainability measures will be a model for other distilleries of all sizes.

How the Proposal Differs from Current Use:

While a whisky tasting room currently exists on the site under the terms of a Limited Use Permit, this permit is temporary and expires after one year, with the option for only one renewal. Our proposal would result in a permanent, thoughtfully designed structure that offers year-round service and additional tax revenue for the town, as well as another draw to bring visitors. The Town Council has already approved a variance request for rear setback relief, which is contingent upon this building design and the granting of a conditional use permit.

The two lots (161 Main Street and 161 Nelson Ave) have historically been used and sold as “one property” even though they are two separate plats. The owners are currently in the process of abandoning the shared property line and being combined into a single lot.

The new proposal will significantly upgrade the current operation, providing a more stable and long-term establishment that will contribute to the fabric Minturn.

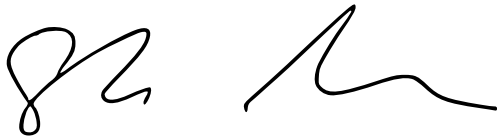
Easements and Dedicated Tracts:

At this time, there are no easements or dedicated tracts associated with the property or the proposed development.

We are committed to contributing to the ongoing success of Minturn by creating a unique and valuable addition to Main Street. We believe this building and proposed use will not only enhance the town's charm but also provide meaningful economic and social benefits.

Please find the site plan attached for your review. We welcome any further discussions and look forward to your consideration.

Sincerely,

A handwritten signature in black ink, appearing to be 'SN' followed by a stylized flourish.

Stefanie Neubauer

CEO

Eagle River Holdings Ltd

Minturn Whisky Company

stef@erwhisky.com

EAGLE RIVER HOLDINGS LTD

Eagle River Holdings Ltd

Minturn Whisky Company
161 Main Street
PO Box 1253
Minturn, CO 81645

Town of Minturn

302 Pine Street
PO Box 302
Minturn, CO 81645

December 10, 2024

To Town of Minturn Planning Department,

Re: Description of Proposed Use and Measures for Compatibility at 161 Main Street and 161 Nelson Ave**Nature of the Proposed Use**

The proposed development at 161 Main Street and 161 Nelson Ave involves the construction of a new multi-use building that will serve as both a whisky tasting room/cocktail lounge and a distillery. The front portion of the building will be designed to accommodate commercial activities, specifically a whisky tasting room and cocktail lounge, open in the afternoon and evening. During the mornings, the space may also serve as a coffee shop offering espresso drinks and breakfast snacks, enhancing its daytime appeal and ensuring continuous use.

The rear portion of the building will house a light manufacturing distillery where our whisky products will be produced on-site. This distillery will operate at a small scale, with a focus on artisanal production. The distillery will be open to the public for tours, events, and sustainability education. Operations will occur during regular business hours and will be designed to minimize any noise or disruption.

Our goal is to create a space that serves both locals and visitors, providing a welcoming environment that is respectful of the surrounding properties while contributing to the vibrancy of Minturn's Main Street.

Operating Characteristics

- Hours of Operation:

The whisky tasting room and cocktail lounge will primarily operate during afternoon and evening hours, from approximately noon to 9:00 PM, with slight variations depending on demand. The coffee shop will operate in the morning hours, likely from 7:00 AM to noon. Distillery operations will take place during standard business hours, likely from 9:00 AM to 5:00 PM, ensuring minimal overlap with evening activities.

- Noise and Disturbance:

The tasting room and distillery operations will both be designed to minimize noise. Distillery production is a low-noise activity, and all equipment will be housed indoors to ensure that operations do not disturb nearby properties. The tasting room and cocktail lounge will operate within normal noise levels for a commercial property. While we may occasionally host live music, these events will be managed to ensure they do not interfere with the neighborhood's peace.

Measures to Ensure Compatibility with Nearby Properties

We understand the importance of ensuring that our proposed use is compatible with the surrounding properties and the character of the neighborhood. To this end, we are implementing the following measures:

- Sustainability Commitment:

Minturn Whisky Company is proud to be an Actively Green certified company, recognized by Walking Mountains Science Center for our environmental efforts. Our goal is to become a net-zero operation, and we are committed to minimizing our carbon footprint in all aspects of production and business. As part of our sustainability mission, we are currently working with Colorado State University (CSU) to design and implement a CO₂-capture system for the fermentation process. Additionally, we're exploring options to re-use the excess water and heat from distillation in other parts of the distillery, and possibly for district heating in adjacent buildings, sidewalks, and streets.

Lastly, we actively encourage the use of bikes and public transportation to reduce traffic and emissions. By encouraging more foot and bike traffic, we also help visitors explore other local businesses, contributing to the community's overall economic and environmental health.

- Community Involvement:

As part of our commitment to the town of Minturn, we will continue to engage with neighbors and the local community to address any concerns that may arise as the project progresses. This includes regular communication and the possibility of adjusting the hours of our operations to better align with community needs.

Compliance with Conditional Use Criteria and Findings

The proposed distillery adheres to the criteria and necessary findings outlined in the Minturn Town Code for conditional use permits.

Criteria

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

Our project directly aligns with several objectives in the Minturn Community Plan, including:

"A Thriving 100 Block"

By transforming a vacant lot into an active whisky tasting room and distillery, our project will contribute to the vitality of the 100 Block, bringing more foot traffic, economic activity, and a sense of place.

"An Economically Vibrant Community"

This project will generate additional tax revenue, attract visitors to downtown, and support neighboring businesses by creating a destination that encourages exploration of other local shops and restaurants.

"An Inviting Public Realm"

The building's design will enhance the charm of Minturn's Main Street with thoughtful architecture that complements the surrounding area while improving the visual and functional appeal of the currently empty lot.

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

As an infill project rather than an expansive new development, this proposal will have minimal impact on public facilities. The tasting room and distillery are small-scale operations designed to integrate into the existing downtown infrastructure without placing undue strain on utilities or community resources.

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

-Traffic Impact:

In keeping with Minturn's sustainability goals and community spirit, we understand that commercial properties in Minturn are not required to have dedicated parking. We believe this enhances the pedestrian-friendly nature of Main Street and benefits the local economy. Visitors

who walk or bike will naturally be more inclined to explore neighboring shops and businesses, enriching the overall community experience while reducing traffic congestion and environmental impact.

In addition to encouraging alternative transportation, we are aware of the need to manage our delivery and shipping logistics in a way that minimizes any potential disruption to the surrounding area. Our distillery will receive occasional barley deliveries, approximately twice a month, as well as infrequent equipment deliveries. Additionally, we will be shipping out pallets of cased whisky on a semi-regular basis.

We are committed to minimizing the impact of these operations on street parking by providing a loading dock access and ensuring they are conducted efficiently. We do not anticipate significant disruption, but should any issues arise, we are open to listening to concerns from our neighbors and the town. We will also ensure clear communication with our delivery drivers to prevent any parking or traffic concerns in the area.

Lastly, a lot of cars currently utilize Nelson Avenue as a u-turn because of the wide expanse of pavement. The layout of our building provides a loading dock at the intersection of Williams and Nelson. Our loading dock space, which will rarely be occupied, could provide easy hammerhead turnarounds off the 40-foot right-of-way of Nelson Street.

-Snow Removal: Our design includes the required square footage for snow storage, ensuring compliance with town regulations. Additionally, we plan to use waste heat from our distillery operations to power a snow melt system for the loading dock, front door, and possibly Nelson Street slope. This approach will improve safety and accessibility while aligning with our sustainability goals.

d. The effect upon the character of the area in which the proposed use is to be located.

The downtown core of Minturn is a vibrant blend of commercial establishments, including restaurants, retail stores, hotels, short-term rentals, and residential properties. Minturn Whisky Company will seamlessly integrate into this unique mix, contributing to the charm that defines Minturn's Main Street. Our whisky tasting room and distillery will complement the existing businesses, offering visitors and residents alike a premium space to gather, enjoy locally crafted products, and explore the town's offerings.

We are mindful of the residential presence in the area and will ensure our operations, including any events or live music, are respectful of nearby homes. By thoughtfully managing hours of operation, noise levels, and community engagement, we aim to enhance the local atmosphere without disrupting the balance between commercial and residential life in Minturn's downtown.

The scale and bulk of the building will be proportional to the surrounding properties, and the design will blend with the unique and variable architectural style of Main Street.

Necessary Findings

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

The proposed development is fully aligned with the zoning and land-use purposes outlined in Minturn's Community Plan, contributing to a thriving downtown core and enhancing the area's economic and cultural vibrancy.

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

We take concerns related to whisky production very seriously, including the potential impact of whisky fungus (*Baudoinia compniacensis*), which can be associated with distillery operations. While the presence of this fungus has been limited to much larger storage warehouses (200 times larger than we'll be able to physically store) and more humid climates, we are committed to thoughtfulness, transparency, and accountability in all aspects of our production process.

Research indicates that the fungus needs heat, humidity, and large quantities of airborne ethanol to grow. No distillery that we know of in Colorado has had any issues, and we will not be making or storing the enormous amount of whisky required to support growth of the fungus.

However, we did not feel it was adequate to simply extrapolate what we have read and observed on the subject. We had a long Zoom discussion with the world's foremost expert on the topic, Dr. James Scott of the University of Toronto. Dr. Scott has been studying the fungus since 2001 and helped name the genus. Here is his summary of our conversation:

Dear Stefanie,

In my experience, small numbers (<20,000) of spirit barrels emit insufficient ethanol vapour to result in fungal blackening of nearby outdoor surfaces. You mentioned you intend to age far fewer barrels than this on-site over the long-term, and therefore my expectation is that if you see any fungal blackening at all, it will be limited to the immediate proximity of your aging facility. Given that your premises are at elevation in a relatively dry climate, I believe the likelihood your facility emissions will contribute to non-trivial fungal blackening in the local area is further diminished.

I encourage you to take a series of baseline photographs of the areas around your aging facility that you might compare at points in the future to determine any divergence from my prediction. It may be useful also to collect and archive weather data to better understand your local climate, as your facility is rather distant from nearby weather stations and thus the local conditions are likely to be different.

From everything I know, I would not hesitate to be your neighbour!

Best wishes,

James

--

James Scott, PhD, ARMCCM

Professor

Division of Occupational & Environmental Health, Dalla Lana School of Public Health & Department of Laboratory Medicine and Pathobiology,

Temerty Faculty of Medicine

University of Toronto

While we do not expect *Baudouinia c.* to be a problem, we are dedicated to monitoring any potential impact on the surrounding environment and ensuring that our operations remain safe and clean. We want to reassure the community that we are prepared to address any concerns with the utmost responsibility, especially as we raise our own children in this town.

The proposed use is designed to be compatible with neighboring properties and respectful of residents. We are committed to maintaining a safe, clean, and welcoming environment through careful management of operations, deliveries, and public interaction.

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

The project complies with all applicable provisions, including land use, zoning, and community development goals. As an infill project, it contributes positively to the public realm without the disruptive impact of a large-scale development.

This proposal reflects our commitment to supporting Minturn's economic, social, and cultural objectives while integrating seamlessly into the fabric of the downtown core. Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, consisting of a stylized 'S' followed by a series of loops and a final horizontal stroke.

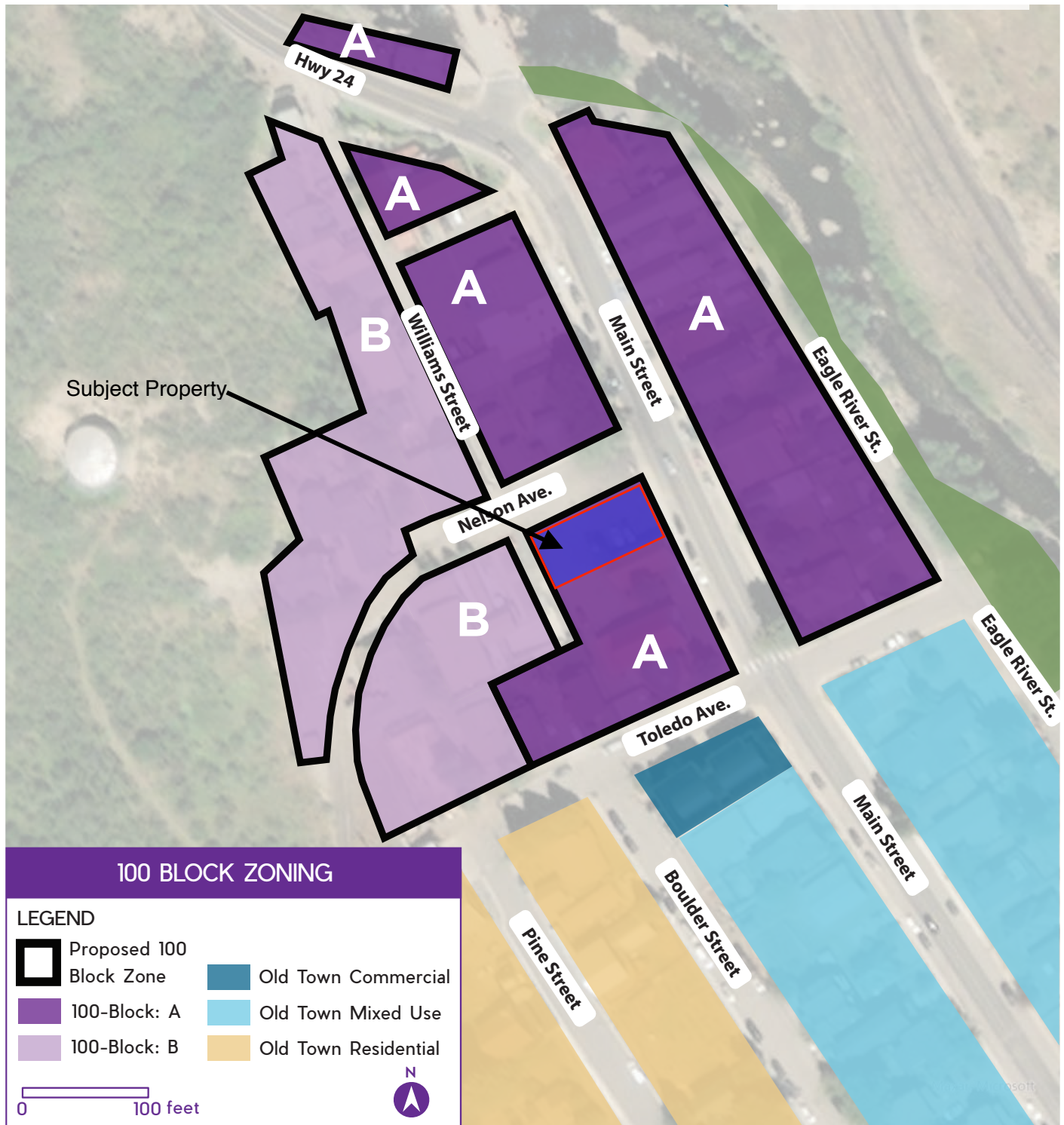
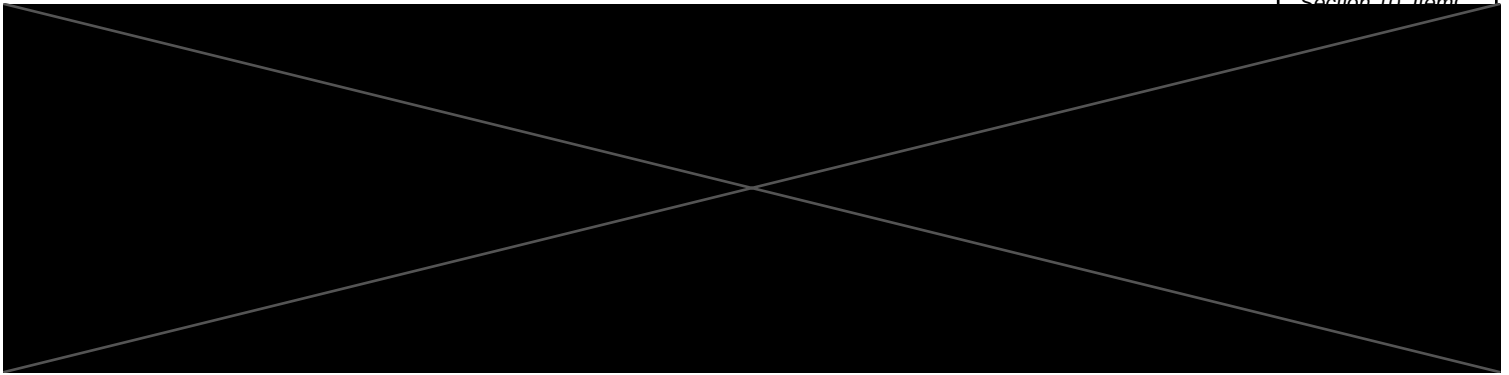
Stefanie Neubauer

CEO

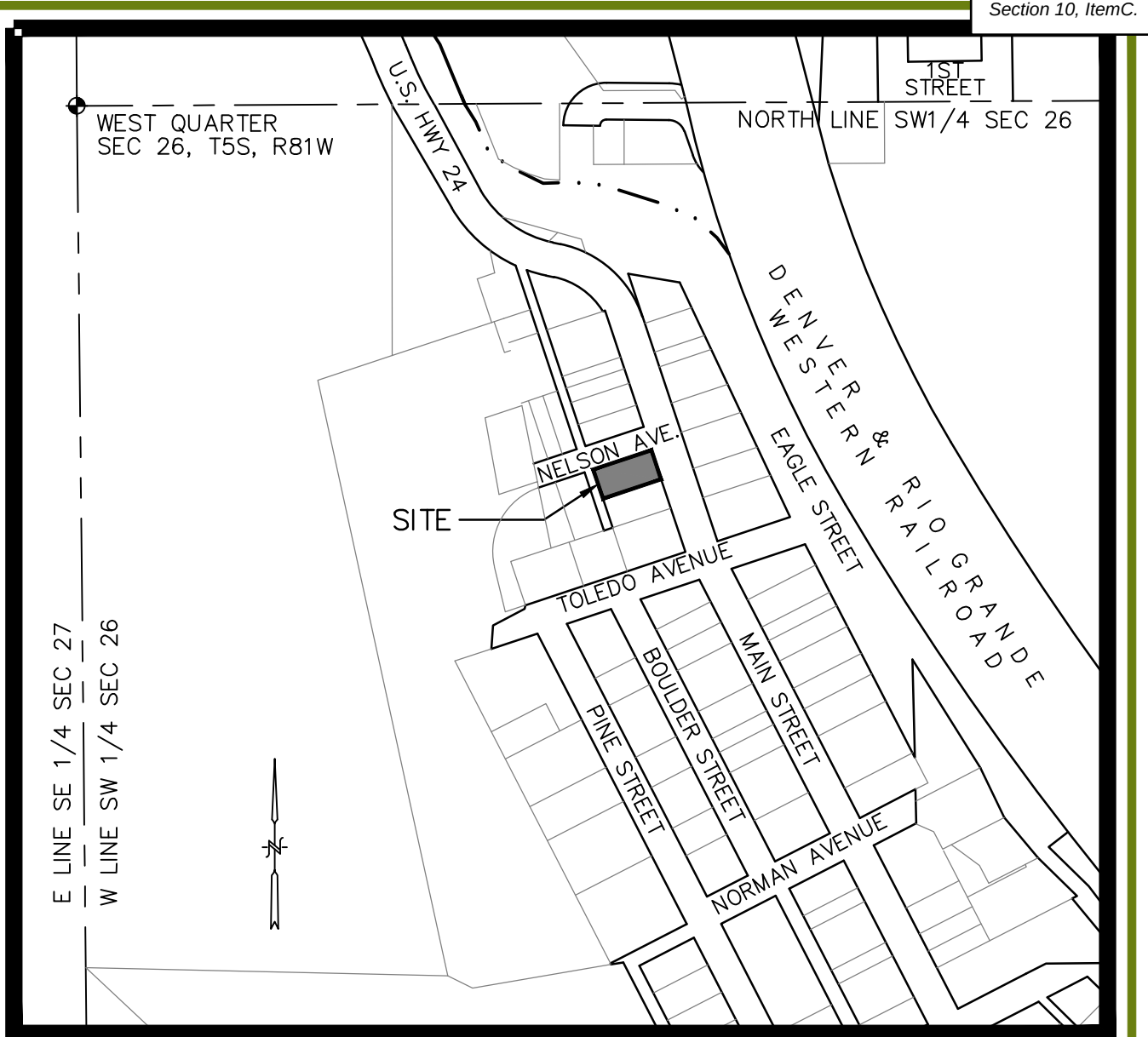
Eagle River Holdings Ltd

Minturn Whisky Company

stef@minturnwhisky.com



ALTA/NSPS LAND TITLE SURVEY
LOTS 1 & 2, BLOCK C, MACKEDON & RATHBURN SUBDIVISION,
SECTION 26, TOWNSHIP 5 SOUTH, RANGE 81 WEST OF THE 6TH P.M.
TOWN OF MINTURN, COUNTY OF EAGLE, STATE OF COLORADO



VICINITY MAP
SCALE: 1"=500'

LEGAL DESCRIPTION: PER ORDER NO. V50070456

THE EAST NINE FEET, MORE OR LESS, OF LOT ONE, AND MORE SPECIFICALLY BEING A STRIP OF LAND NINE FEET, MORE OR LESS, IN WIDTH AND ONE HUNDRED FEET, MORE OR LESS, IN LENGTH, OF THE SOUTHWESTERLY SIDE OF SAID LOT, AND ALL OF LOT TWO, ALL IN BLOCK LETTERED "C" IN MACKEDON AND RATHBURN'S SUBDIVISION OF BOOCO'S ADDITION TO THE TOWN OF MINTURN, COUNTY OF EAGLE, STATE OF COLORADO, RECORDED JANUARY 5, 1892 UNDER RECEPTION NO. 10580.

ALL THAT PART OF LOT 1, BLOCK "C", MACKEDON AND RATHBURN'S SUBDIVISION OF BOOCO'S ADDITION, TOWN OF MINTURN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING ON THE NORTHEASTERLY CORNER OF SAID LOT 1, WHICH POINT IS THE INTERSECTION OF MAIN AND SECOND STREET; THENCE SOUTHWESTERLY ALONG THE EASTERLY SIDE LINE OF SECOND STREET, A DISTANCE OF 100 FEET; THENCE SOUTHEASTERLY AND PARALLEL WITH MAIN STREET, A DISTANCE OF 16 FEET; MORE OR LESS; THENCE NORTHEASTERLY AND PARALLEL WITH SECOND STREET, A DISTANCE OF 100 FEET TO THE SIDE LINE OF MAIN STREET; THENCE NORTHWESTERLY ALONG MAIN STREET, A DISTANCE OF 16 FEET; MORE OR LESS, TO THE POINT OF BEGINNING, COUNTY OF EAGLE, STATE OF COLORADO.

GENERAL NOTES:

- ALTA/NSPS SURVEY COMPLETED ON NOVEMBER 11, 2017, UPDATED NOVEMBER 01, 2023.
- LINEAL UNITS OF MEASUREMENT SHOWN ARE GIVEN IN US SURVEY FOOT
- THIS SURVEY WAS MADE IN ACCORDANCE WITH LAWS AND/OR MINIMUM STANDARDS OF THE STATE OF COLORADO.
- BASIS OF BEARINGS: THE COLORADO STATE PLANE COORDINATE SYSTEM, COLORADO CENTRAL ZONE 0502, NORTH AMERICAN DATUM 1983 (NAD83). THE FOUND BRASS TACK STAMPED "CDOT #542" & THE FOUND 3.25" ALUMINUM CAP STAMPED "CDOT PLS 29034" ON THE NORTHERLY LINE OF US HWY 24 WERE HELD FOR ROTATION, HAVING A BEARING AND DISTANCE OF N60°10'02"W 99.34'. THE CONCRETE WALL ALONG THE EAGLE RIVER, A FOUND RED PLASTIC CAP STAMPED "26626" AND A FOUND 2" ALUMINUM CAP STAMPED "37835" WERE FOUND TO BE IN AGREEMENT WITH THIS ROTATIONAL SOLUTION. DISTANCES SHOWN HEREON ARE SURFACE VALUES DERIVED USING A SCALE FACTOR OF 1.0004037201.
- THE SUBJECT PROPERTY IS ZONED "COMMERCIAL" PER THE TOWN OF MINTURN STANDARDS. NEW BUILDINGS SHALL DRAW ON INTERPRETATIONS OF EXISTING STOREFRONT STRUCTURES. THE SCALE OF THE NEW BUILDINGS SHALL BE CONSISTENT WITH ADJACENT BUILDINGS. HEIGHT SHALL BE CONSISTENT AS VIEWED FROM THE STREET; ADDITIONAL HEIGHT MAY BE APPROVED IF IT STEPS BACK FROM THE FACADE TO REDUCE THE PERCEIVED SCALE OF THE NEW DEVELOPMENT.
- THE SUBJECT PROPERTY IS LOCATED WITHIN FLOOD ZONE DESIGNATION X BY THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT, ON FLOOD INSURANCE RATE MAP NO. 08037C0658D, WITH A DATE OF IDENTIFICATION OF DECEMBER 4, 2007, IN EAGLE COUNTY, STATE OF COLORADO, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED.
- PEAK LAND CONSULTANTS, INC. DID NOT PERFORM A TITLE SEARCH OF THE SUBJECT PROPERTY TO ESTABLISH OWNERSHIP, EASEMENTS OR RIGHTS-OF-WAY OF RECORD. RECORD DOCUMENTS UTILIZED ON THIS ALTA/NSPS SURVEY WERE PROVIDED BY LAND TITLE GUARANTEE COMPANY, ORDER NO. V50070456, HAVING AN EFFECTIVE DATE OF OCTOBER 20, 2023, AT 5:00 P.M.
- NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT SHALL ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

ALTA/NSPS LAND TITLE SURVEY:

TO EAGLE RIVER HOLDINGS LTD., A COLORADO CORPORATION, MR. MINTURN, LLC, A COLORADO LIMITED LIABILITY COMPANY & LAND TITLE GUARANTEE COMPANY:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6(b), 7(a), 8, 9, 11(b), 13, 18, & 19 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON NOVEMBER 01, 2023.



BRENT BIGGS
P.L.S. NO. 27598

DRAWN: KPJ
REVIEWED: BB
DATE: 11/16/23
PLC JOB#: 2062.5

SHEET 1 OF 1

MONUMENT LEGEND	
●	FOUND MAG NAIL WITH 1½" BRASS TAG STAMPED PEAK LAND CONSULTANTS LS 27598
⊗	SET MAG NAIL WITH 1½" BRASS TAG STAMPED PEAK LAND CONSULTANTS LS 27598
◆	FOUND No. 6 REBAR WITH 3¾" ALUMINUM CAP STAMPED CDOT PLS 29034
⊠	FOUND BRASS TACK MARKED CDOT-#547 (SEE DRAWING)
▲	FOUND No. 5 REBAR WITH 1½" ALUMINUM CAP STAMPED LS 9337

EXCEPTIONS:

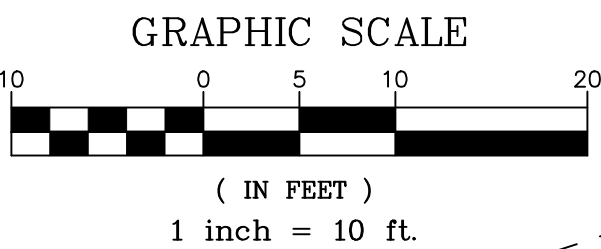
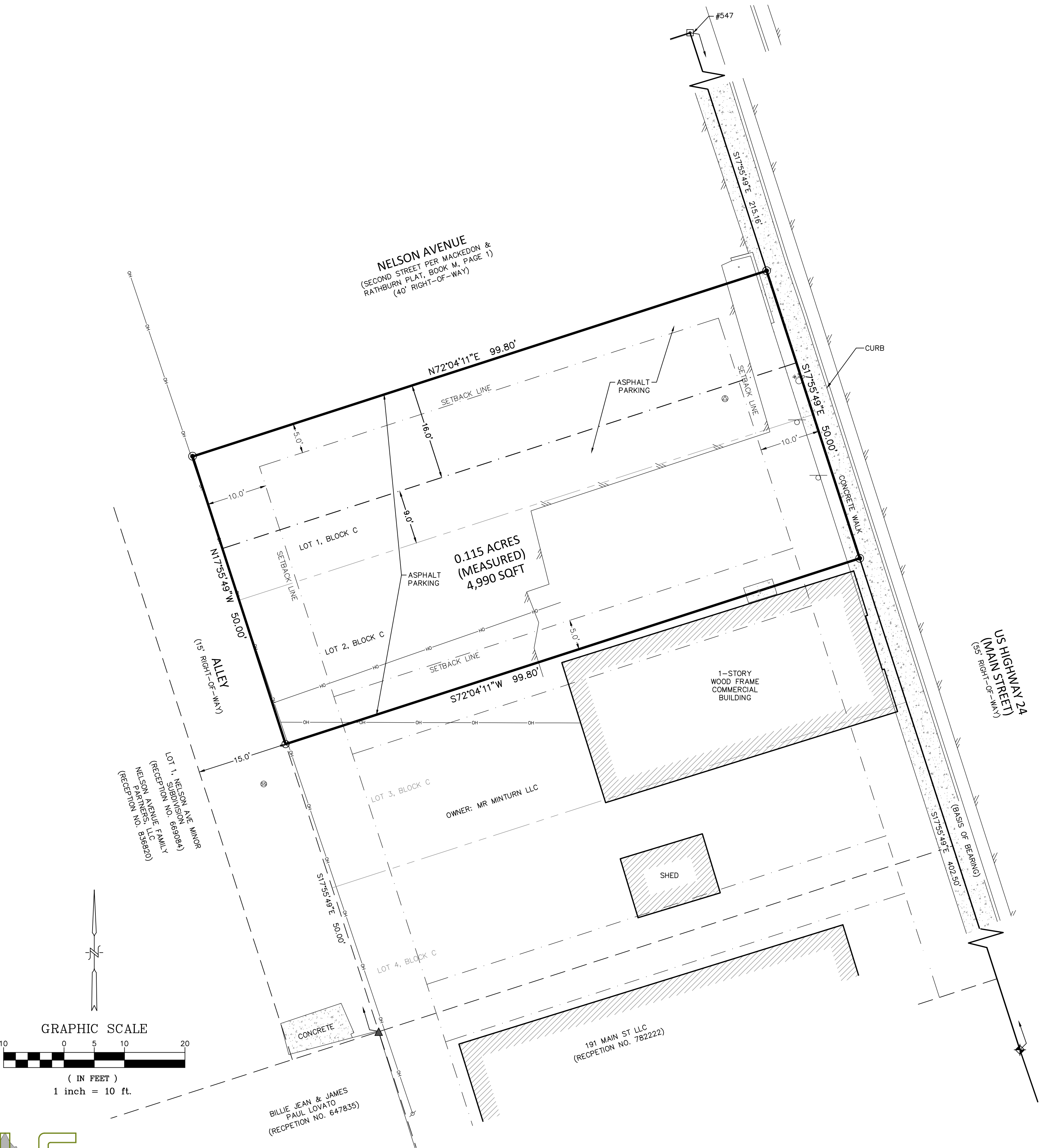
PER SAID TITLE COMMITMENT PROVIDED BY LAND TITLE GUARANTEE COMPANY, THE FOLLOWING AFFECT THE SUBJECT PROPERTY:

- RIGHT OF PROPRIETOR OF A VEIN OR LODE TO EXTRACT AND REMOVE HIS ORE THEREFROM SHOULD THE SAME BE FOUND TO PENETRATE OR INTERSECT THE PREMISES AS RESERVED IN UNITED STATES PATENT RECORDED FEBRUARY 09, 1901, IN BOOK 48 AT PAGE 245. (NOT ABLE TO PLOT)
- RIGHT OF WAY FOR DITCHES OR CANALS CONSTRUCTED BY THE AUTHORITY OF THE UNITED STATES AS RESERVED IN UNITED STATES PATENT RECORDED FEBRUARY 09, 1901, IN BOOK 48 AT PAGE 245. (NOT ABLE TO PLOT)
- THE EFFECT OF ORDINANCE NO. 129, RECORDED DECEMBER 20, 1974, IN BOOK 238 AT PAGE 5. (NOT ABLE TO PLOT)
- ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE EAGLE RIVER FIRE PROTECTION DISTRICT, AS EVIDENCED BY INSTRUMENT RECORDED MAY 30, 2002, UNDER RECEPTION NO. 799500. (NOT ABLE TO PLOT)
- ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE EAGLE RIVER WATER AND SANITATION DISTRICT, AS EVIDENCED BY INSTRUMENT RECORDED DECEMBER 31, 2009, UNDER RECEPTION NO. 200927997. SPECIAL DISTRICT PUBLIC DISCLOSURE DOCUMENT RECORDED DECEMBER 3, 2013 UNDER RECEPTION NO. 201323922 AND RECORDED DECEMBER 18, 2014 UNDER RECEPTION NO. 201421767 IN REGARDS THEREOF. (NOT ABLE TO PLOT)
- ANY AND ALL RIGHTS OF ANY DITCH COMPANY DITCH COMPANY RELATING TO ANY DITCHES, WHICH TRAVERSES SUBJECT PROPERTY OR IS DESCRIBED AS A BOUNDARY OF SUBJECT PROPERTY, INCLUDING BUT NOT LIMITED TO DITCH MAINTENANCE AND ACCESS RIGHTS TO LANDS ADJOINING THE DITCH OR CANAL, AS DISCLOSED BY MAP RECORDED FEBRUARY 27, 2017 UNDER RECEPTION NO. 201703240. (NOT ABLE TO PLOT)
- ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE UPPER EAGLE VALLEY SANITATION DISTRICT, AS EVIDENCED BY INSTRUMENTS RECORDED MARCH 26, 2017, UNDER RECEPTION NOS. 201705247 AND 201705251. (NOT ABLE TO PLOT)
- TERMS, CONDITIONS AND PROVISIONS CONTAINED IN ORDINANCE NO. 09-SERIES 2017 VACATING A PORTION OF EAGLE STREET RECORDED NOVEMBER 02, 2017 UNDER RECEPTION NO. 201720945. (DOES NOT APPLY)
- TERMS, CONDITIONS AND PROVISIONS AS CONTAINED IN CORRESPONDENCE FROM COLORADO DEPARTMENT OF TRANSPORTATION REGARDING 106 MAIN STREET DATED JUNE 20, 2017 AND STORED IN OUR SYSTEM AS IMAGE 6163847. (NOT ABLE TO PLOT)
- TERMS, CONDITIONS AND PROVISIONS CONTAINED IN ORDINANCE NO. 5 - SERIES 2016 AMENDING TOWN OF MINTURN ZONING CODE AND STORED IN OUR SYSTEM AS IMAGE 6231738. (NOT ABLE TO PLOT)
- ANY FACTS, RIGHTS, INTERESTS OR CLAIMS WHICH MAY EXIST OR ARISE BY REASON OF THE FOLLOWING FACTS SHOWN ON ALTA/NSPS LAND TITLE SURVEY CERTIFIED JANUARY 25, 2017 PREPARED BY PEAK LAND CONSULTANTS, INC., JOB #2062 SAID DOCUMENT STORED AS OUR ESI 32392011
A. OVERHEAD UTILITY LINES CROSS PROPERTY WITHOUT BENEFIT OF EASEMENTS
B. BUILDING ENCLOSES OVER NEIGHBOR'S PROPERTY

TABLE A ALTA/NSPS NOTES:

- MONUMENTS SET OR FOUND SHOWN THIS SHEET.
- AS SHOWN THIS SHEET.
- SEE GENERAL NOTE 6.
- ACREAGE SHOWN THIS SHEET..
- 6(b). SEE GENERAL NOTE 5 (NO ZONING REPORT PROVIDED BY CLIENT, INFORMATION FROM ALTA/NSPS COMPLETED NOVEMBER 11, 2017).
- 7(a) NO BUILDINGS ON LOT.
- AS SHOWN THIS SHEET.
- NO IDENTIFIABLE PARKING SPACES.
- 11(b). OBSERVED EVIDENCE ONLY.
- AS SHOWN THIS SHEET..
- AS SHOWN THIS SHEET.
- ON FILE.

LEGEND	
⊗	MONITOR WELL
⊗	SEWER MANHOLE
⊗	UTILITY POLE
⊗	LIGHT POLE
⊗	SIGN
⊗	WATER VALVE
—OH—	OVERHEAD ELECTRIC
—	ASPHALT PAVING



DEPOSITED THIS _____ DAY OF _____ 20____ AT _____ IN BOOK _____ OF THE
EAGLE COUNTY SURVEYOR'S LAND SURVEY PLAT/RIGHTS-OF-WAY SURVEYS AT PAGE _____
RECEPTION NO. _____

2. BASIS OF BEARINGS: THE COLORADO STATE PLANE COORDINATE SYSTEM, COLORADO CENTRAL ZONE 0502, NORTH AMERICAN DATUM 1983 (NAD83). THE FOUND BRASS TACK STAMPED "CDOT #542" & THE FOUND 3.25" ALUMINUM CAP STAMPED "CDOT PLS 29034" ON THE NORTHERLY LINE OF US HWY 24 WERE HELD FOR ROTATION, HAVING A BEARING AND DISTANCE OF N60°10'02"W 99.34'. THE CONCRETE WALL ALONG THE EAGLE RIVER, A FOUND RED PLASTIC CAP STAMPED "26262" AND A FOUND 2" ALUMINUM CAP STAMPED "37935" WERE FOUND TO BE IN AGREEMENT WITH THIS ROTATIONAL SOLUTION. DISTANCES SHOWN HEREON ARE SURFACE VALUES DERIVED USING A SCALE FACTOR OF 1.0004037201.
3. LINEAL UNITS OF MEASUREMENTS SHOWN ARE GIVEN IN US SURVEY FOOT.
4. THE SOLE PURPOSE OF THIS AMENDED FINAL PLAT IS TO VACATE COMMON LOT LINE BETWEEN LOTS 1 AND 2 TO CREATE LOT 1R.
5. THERE ARE NO PUBLIC ROAD WAYS, PUBLIC IMPROVEMENTS, OR EASEMENTS BEING DEDICATED TO THE PUBLIC BY THIS PLAT.
6. THE ADDRESS INDICATED IN OVAL IS FOR INFORMATION PURPOSES ONLY. VERIFY THE FINAL ADDRESS WITH EAGLE COUNTY COMMUNITY DEVELOPMENT DEPARTMENT.
7. PEAK LAND CONSULTANTS, INC. DID NOT PERFORM A TITLE SEARCH OF THE SUBJECT PROPERTY TO ESTABLISH OWNERSHIP, EASEMENTS OR RIGHTS-OF-WAY OF RECORD. RECORD DOCUMENTS UTILIZED IN THIS AMENDED FINAL PLAT WERE PROVIDED BY LAND TITLE GUARANTEE COMPANY ORDER NO. 50072932 DATED SEPTEMBER 30, 2024 AT 5:00 P.M..
8. NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

TOWN CLERK
TOWN OF MINTURN, COLORADO

AGENT _____

DATED THIS _____ DAY OF _____, A.D., 20_____

TREASURER OF EAGLE COUNTY

THIS PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE CLERK AND RECORDER AT _____
O'CLOCK _____, ON THIS _____ DAY OF _____, 20____ AND IS DULY
RECORDED AT RECEPTION No. _____.

CLERK AND RECORDER

BY: _____
DEPUTY

I, BRENT BIGGS, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR LICENSED TO PRACTICE LAND SURVEYING UNDER THE LAWS OF THE STATE OF COLORADO, THAT THIS AMENDED FINAL PLAT IS A TRUE, CORRECT AND COMPLETE PLAT OF AMENDED FINAL PLAT LOTS 1 AND 2, BLOCK 6, MACKEDON AND RATHBURN SUBDIVISION AS LAID OUT, PLATTED, DEDICATED AND SHOWN ON THE ORIGINAL PLAT OF SAID SUBDIVISION, AND THAT SAID PLAT IS A TRUE, CORRECT AND COMPLETE PLAT AND/OR UNDER MY SUPERVISION AND ACCURATELY SHOWS THE LOCATION AND DIMENSIONS OF THE LOTS, EASEMENTS AND RIGHTS-OF-WAY OF SAID PLAT AS THE SAME ARE MONUMENTED UPON THE GROUND IN COMPLIANCE WITH APPLICABLE REGULATION GOVERNING THE SUBDIVISION OF LAND, THAT SUCH PLAT IS BASED UPON THE PROFESSIONAL LAND SURVEYOR'S KNOWLEDGE, INFORMATION AND BELIEF, THAT IT HAS BEEN PREPARED IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE, AND THAT SUCH PLAT IS NOT A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

LAND USE SUMMARY

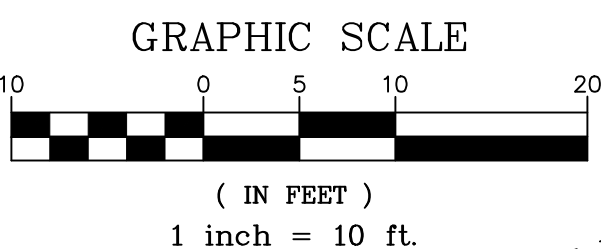
LOT	AREA	USAGE	ADDRESS
1	0.115 ACRES	SINGLE FAMILY	161 MAIN STREET

BRENT BIGGS
PROFESSIONAL L.
P.L.S. No. 27598

DRAWN: KPJ

REVIEWED: RE

SHEET 1 OF 1



GENERAL SITE NOTES:

- ALL STRUCTURES AND SITE IMPROVEMENTS ARE NEW, EXCEPT WATER METER.
- SITE PLAN SHOWS EXTENT OF ROOF INCLUDING EAVES, SEE SHEET A101 FOR ADDITIONAL STRUCTURE DIMENSIONS (OMITTED HERE FOR CLARITY).
- GROUND SURFACE TREATMENTS BEYOND PROPERTY LINES ARE A SUGGESTION OF WHAT COULD BE DONE IN STREET ROW TO HELP CREATE A WOONERF STREETSCAPE.

GRADING NOTES:

- REFER TO SITE DEMOLITION PLAN & GRADING AND DRAINAGE PLAN SHEETS C1.0 & C2.0
- ALL LEFT OVER GRADING MATERIAL NOT UTILIZED AS FILL OR LANDSCAPING MOUNDS APPROVED BY OWNER SHALL BE REMOVED FROM THE SITE. EROSION CONTROL MANAGED PER SITE DRAINAGE INDICATED ON SHEET C2.0.
- ALL TRENCHES TO BE COVERED WITH A WALKABLE SURFACE AT NIGHT.
- DO NOT PLACE ANY CONCRETE IN FREEZING WEATHER UNLESS FOLLOWING ALL ACI RECOMMENDATIONS AND REQUIREMENTS FOR COLD WEATHER CONCRETING - SSD & REFER TO A100 FOR ADDITIONAL NOTES.**

EXTERIOR LIGHTING NOTES:

- ALL NEW EXTERIOR LIGHTS SHALL BE A FULL CUT OFF FIXTURE AND HAVE A DARK SKY ORDINANCE COMPLIANT LOW CUTOFF ANGLE SO THAT LIGHT IS NOT CAST UP OR OVER PROPERTY LINES & UTILIZING THE MINIMUM LIGHTING INTENSITY NECESSARY.
- LIGHTS SHALL BE MAXIMUM 15' AFG.
- ALL LIGHTING SHALL BE HIGH EFFICIENCY LED AND RATED FOR WET LOCATIONS.
- REFER TO LIGHTING PLANS ON SHEETS AX.XX THRU AX.XX.

LANDSCAPE NOTES:

- LANDSCAPING IS LIMITED TO PLANTING BEDS (269 SF TOTAL). NOTED ON THE PLAN AS LP-A THRU LP-D WITH PLANTINGS AS DESIGNATED BELOW WHICH ARE ALL IDENTIFIED BY USDA AS APPROPRIATE FOR PLANT HARDINESS ZONE 4b:

LP-A: DROUGHT TOLERANT NATIVE FLOWERING HERBACEOUS PERENNIALS: COLUMBINE, LUPINE, PENSTEMON, AND FLAX- MIN (3) FLATS PER PLANTER IN (2) PLANTERS.
LP-B: DROUGHT TOLERANT HOLLYHOCKS, VARIOUS COLORS. ESTABLISHED FROM LIBERAL SEED SPREAD IN FALL.
LP-C: DROUGHT TOLERANT HOLLYHOCKS, VARIOUS COLORS. ESTABLISHED FROM LIBERAL SEED SPREAD IN FALL.
LP-D: DROUGHT TOLERANT NATIVE SHRUBS PER TOWN OF MINTURN PRE-APPROVED LIST- MIN (7) 5 GALLON SHRUBS.

(IF NATIVE DROUGHT TOLERANT TREES ARE INCLUDED THEY MUST BE A MINIMUM 1.5" CALIPER @ 4" ABOVE GROUND).

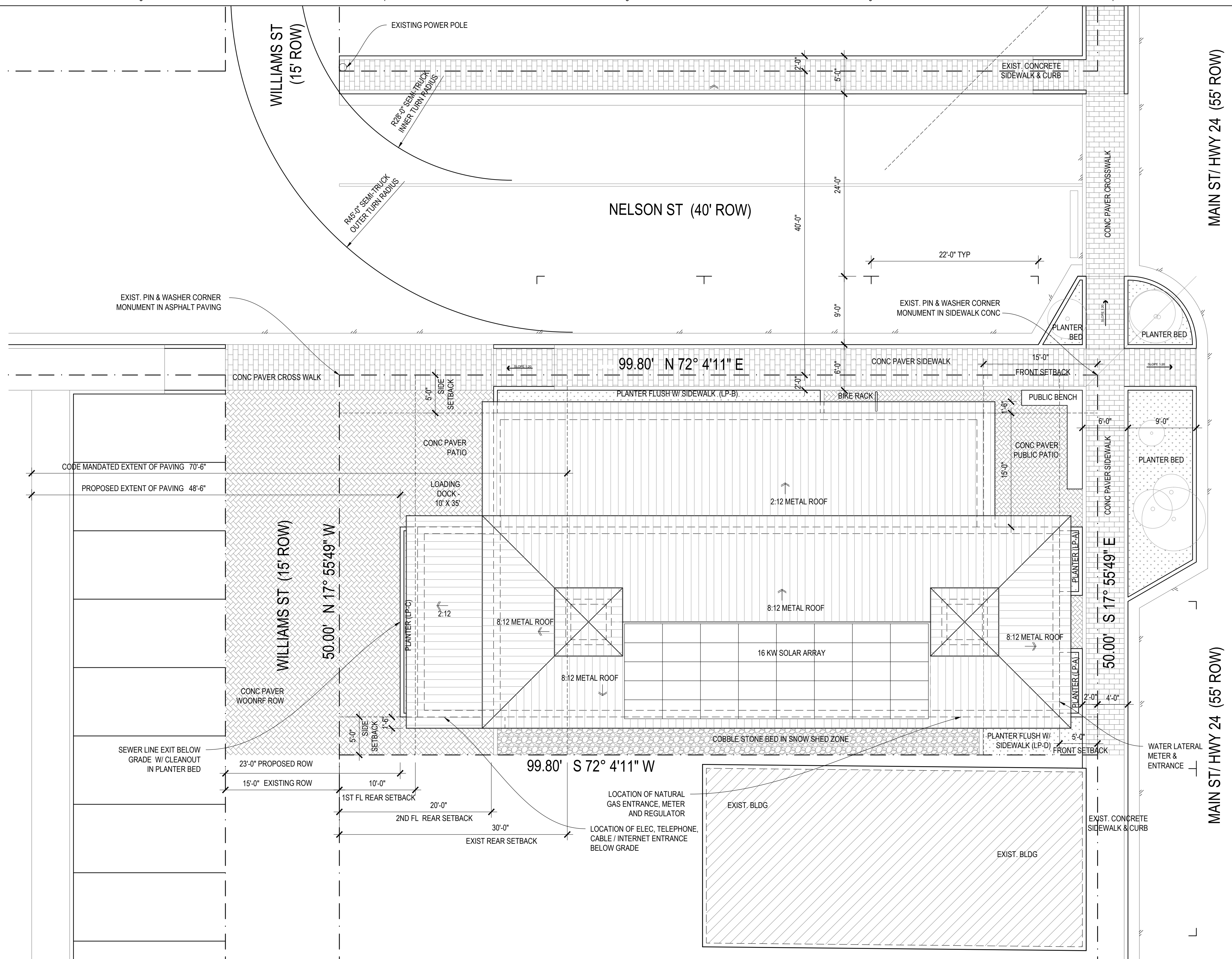
- PROVIDE DRIP IRRIGATION SYSTEM INCLUDING A MOISTURE SENSOR WITH SEPARATE ZONES FOR EACH PLANTING BED ON A TIMER MOUNTED INSIDE THE BUILDING. MAINTAIN ADEQUATE WATERING FOR MINIMUM 2 YEARS TO ESTABLISH PLANTINGS.
- NO TURF PLANTINGS PERMITTED.
- AMEND PLANTING BEDS WITH MINIMUM 6" DEPTH OF SANDY LOAM W/ MIN 5% ORGANIC MATTER BY VOLUME.
- AFTER PLANTING, PROVIDE 2" DEPTH OF MULCH WITH MODIFICATIONS AS APPROPRIATE FOR EACH PLANT MATERIAL. RENEW AS NEEDED.
- HARDSCAPE FROM BUILDING TO PROPERTY LINE SHALL BE 4" THICK 5000psi CONCRETE OR GRANITE PAVERS ON 1" SAND BED OVER MINIMUM 6" ROAD BASE IN 3" LIFTS COMPACTED TO 95% OVER NATIVE SOILS (OR REPLACED W/ ADDITIONAL ROAD BASE MATERIAL IN 4" LIFTS COMPACTED TO 95% WHERE OVER EXCAVATED).
- PROVIDE 6" MINUS COBBLES OVER GEOTEXTILE WEED BLOCK FABRIC ALONG SOUTHERN PROPERTY LINE IN SNOW SHED ZONE FROM SOLAR PANELS LAID OVER COMPACTED EARTH SLOPED TO STORM INLET NOTED ON GRADING AND DRAINAGE SHEET C2.0.

SNOW STORAGE:

PROVIDED IN PLANTING BEDS (269 SF TOTAL). SEE AREA NOTES ON SHEET A101. ADDITIONAL SNOW STORAGE AVAILABLE ALONG SOUTH SIDE OF BUILDING AND AT NORTH EAST PUBLIC PATIO IF NEEDED.

UTILITY NOTES:

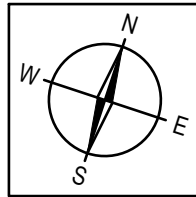
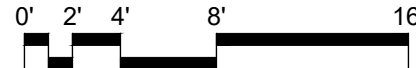
- NEW ELECTRIC, TELEPHONE & CABLE / INTERNET CONNECTIONS VIA SEPARATE UNDERGROUND 2" DIA SCH 80 DUCTS FROM A UTILITY POLE LOCATED ALONG WILLIAMS STREET - MIN 36" BELOW FINISH GRADE.
- NEW SEPTIC WASTE LINE SLOPING MIN 2% TO EXISTING SEWER IN WILLIAMS STREET ROW VIA 6" DIA ABS OR PVC LINE MIN 4" BELOW FINISH GRADE. PROVIDE CLEANOUTS AT MIN 50' INTERVALS.
- NEW NATURAL GAS LINE FROM MAIN IN WILLIAMS STREET VIA 1" HDPE PIPE W/ TRACER WIRE MIN 3" BELOW FINISH GRADE.
- WATER SUPPLY FROM EXISTING METER NEAR STREET WILL REMAIN UNLESS LATERAL OR MAIN WATER SHUT-OFF VALVE IS FOUND TO BE DEFICIENT OR IT NEEDS TO BE RELOCATED FOR CONSTRUCTION PURPOSES.
- ALL UTILITY LINES TO BE TERMINATED INSIDE BUILDING FOOTPRINT, EXCEPT GAS LINE WITH METER & PRESSURE REGULATOR LOCATED ON SOUTH SIDE OF BUILDING AT EASTERN CORNER.



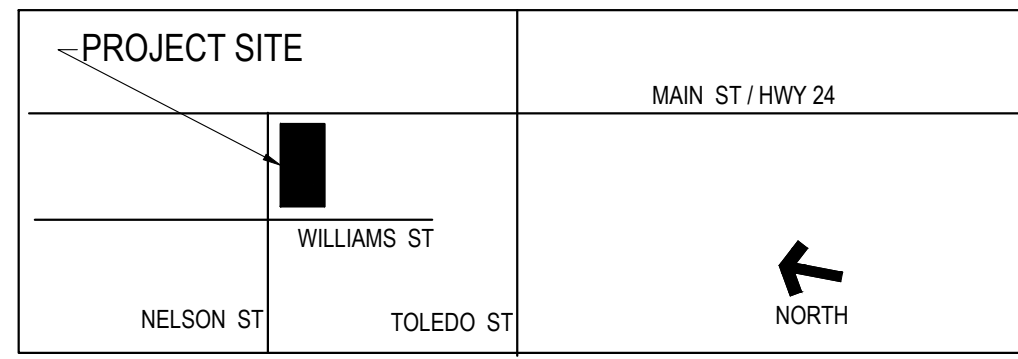
E3

SITE - PLOT- ROOF PLAN

L100



LOT SIZE: 4990 SF
BUILDING COVERAGE : 3092 SF (62%)
IMPERVIOUS SURFACE : 4401 SF (88.2%)
SNOW STORAGE : 269 SF (5.4%)
TOTAL FLOOR AREA : 3597 SF (505SF @ 2ND FL)



F5

VICINITY PLAN - MINTURN, CO

L100

NO SCALE

GROUND SURFACE TREATMENTS BEYOND PROPERTY LINES ARE A SUGGESTION OF WHAT COULD BE DONE TO HELP CREATE A WOONERF STREET SCAPE

SITE PLAN IS BASED ON PEAK LAND SURVEYING, INC. SURVEY DATED 10/30/2024 JOB # 2062.6

GENERAL NOTES:

- DO NOT SCALE FROM DRAWINGS. REFER TO WRITTEN DIMS AND BRING OMITTED DIMS TO ARCHITECT'S ATTN.
- REFER TO STRUCTURAL SHEETS FOR STRUCTURAL MATERIALS, NOTES, SPECIFICATIONS AND DETAILS.
- ALL DIMENSIONS ARE TO FO FRAMING, ROUGH OPENING, FO CONC WALL OR T.O. CONC SLAB OR SUB FL. UNO.
- REFER TO C100 FOR INSULATION SPECS, OTHER GENERAL NOTES, DRAWING INDEX, AND ABBREVIATIONS.
- REFER TO L100 FOR SITE, UTILITY & LANDSCAPE PLAN NOTES & SPECS.
- REFER TO ARCHITECTURAL PLAN SHEETS (A10X) FOR WALL & RO DIMS, HEAD & SILL HEIGHTS, AND FINISH SPECS INCLUDING WINDOW AND DOOR SCHEDULES, MECHANICAL PLUMBING AND ELEC. SPECS.
- REFER TO ROOF PLAN (A10X) FOR ROOF MATERIALS, SPECIFICATIONS, AND NOTES.
- SILL DIMENSIONS ARE FROM T.O. SLAB OR T.O. SUBFL OR TO SILL RO. HEAD RO DIMS ARE FROM SILL RO.**
- REFER TO ELEVATION SHEETS (A20X) FOR EXTERIOR FINISHES, NOTES AND SPECS.
- REFER TO SHEETS A301 FOR WALL & BUILDING SECTION DETAILS, MATERIALS, AND CONFIGURATION.

RDC ARCHITECTURE

ROBERT D CREASY ARCHITECTURE
PO BOX 819 - 105 WILLIAMS STREET
MINTURN, CO 81645-0819
MB: 760.937.2600 (Robert)
robert@rdcarch.com

STRUCTURAL ENGINEER

SURVEYOR
PEAK LAND SURVEYING, INC.
1000 Lion's Ridge Loop
Vail, CO 81657
970.476.8644

GEO/SOILS ENGINEER - SPECIAL INSPECTION SERVICES
Not Applicable

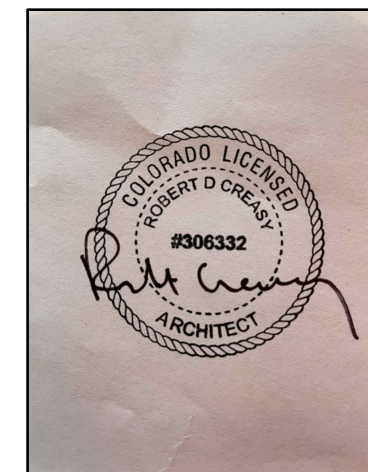
GENERAL CONTRACTOR

MINTURN WHISKY COMPANY

PARCELS # 2103-263-002 & 003
161 MAIN ST / 161 NELSON
MINTURN, CO 81645

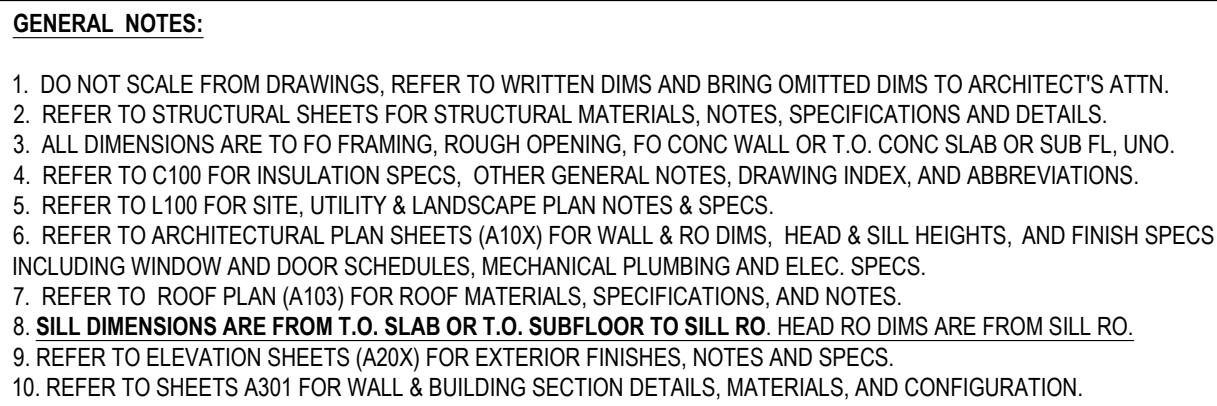
OWNER:
STEFANIE & SPENCE NEUBAUER

stef@erwhisky.com & spence@erwhisky.com
MB: 603.770.8756

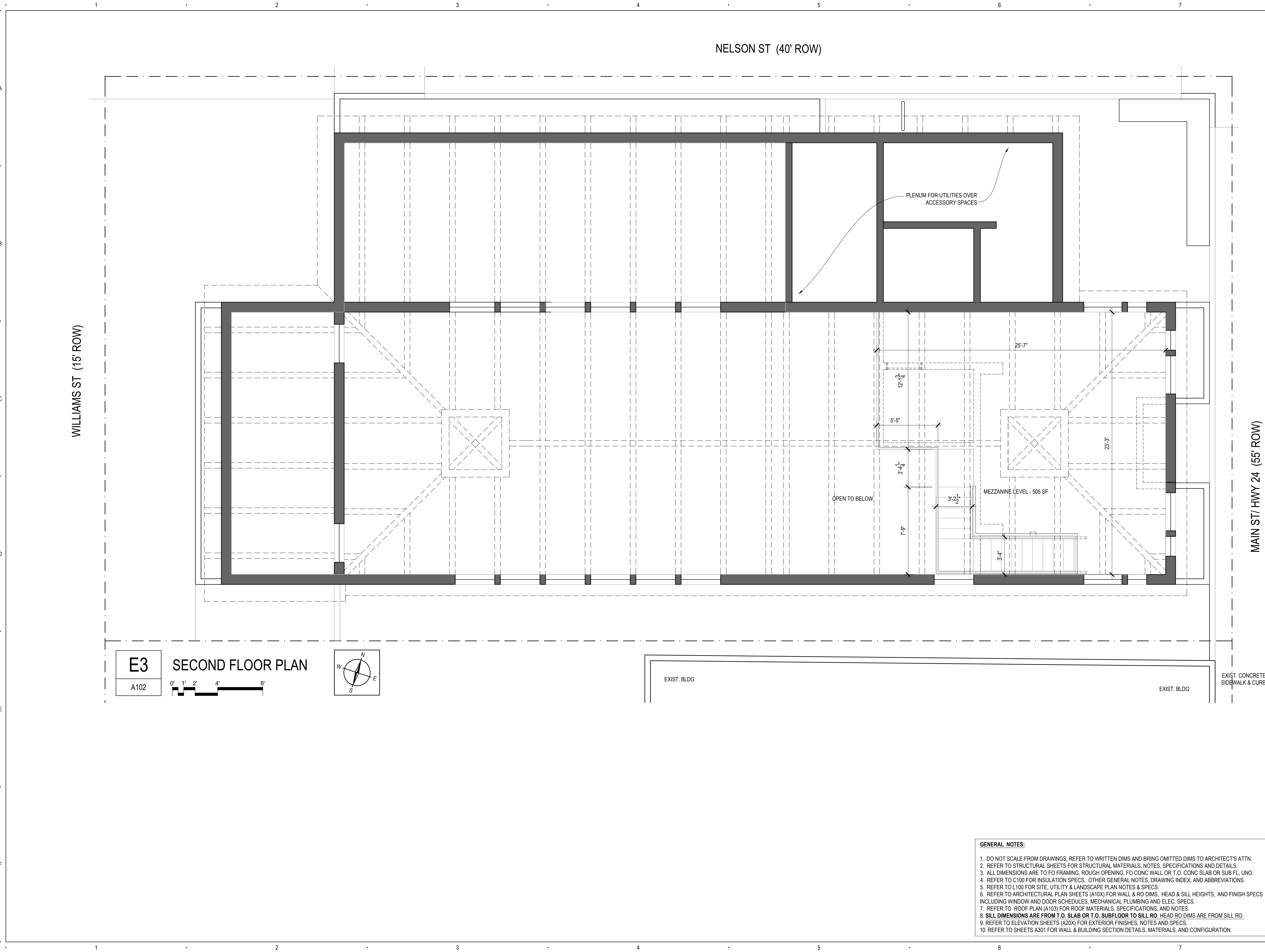


DRB & CUP Submittal December 10, 2024
DATE: NOT FOR CONSTRUCTION
PROJECT #: 2410

SITE & ROOF PLAN
LANDSCAPE PLAN & NOTES
VICINITY PLAN
L101



A101



RDC ARCHITECTURE

ROBERT D CREASY ARCHITECTURE
PO BOX 819 - 105 WILLIAMS STREET
MINTURN, CO 81645-0819
MB: 760.937.2600 (Robert)
robert@rdcarch.com

STRUCTURAL ENGINEER

SURVEYOR
PEAK LAND SURVEYING, INC.
1000 Lion's Ridge Loop
Vail, CO 81657
970.476.8644

GEO/SOILS ENGINEER - SPECIAL INSPECTION SERVICES
Not Applicable

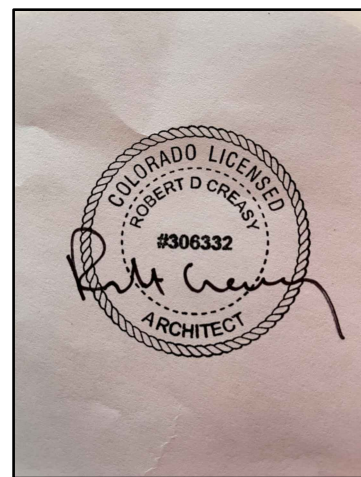
GENERAL CONTRACTOR

MINTURN WHISKY COMPANY

PARCELS # 2103-263-002 & 003
161 MAIN ST / 161 NELSON
MINTURN, CO 81645

OWNER:
STEFANIE & SPENCE NEUBAUER

stef@erwhisky.com & spence@erwhisky.com
MB: 603.770.8756



DRB & CUP Submittal December 10, 2024
DATE: NOT FOR CONSTRUCTION
PROJECT #: 2410

SECOND FLOOR PLAN NOTES & SPECIFICATIONS

A102

GENERAL NOTES:

1. DO NOT SCALE FROM DRAWINGS. REFER TO WRITTEN DIMS AND BRING OMITTED DIMS TO ARCHITECT'S ATTN.
2. REFER TO STRUCTURAL SHEETS FOR STRUCTURAL MATERIALS, NOTES, SPECIFICATIONS AND DETAILS.
3. ALL DIMENSIONS ARE TO FO FRAMING, ROUGH OPENING, FO CONC WALL OR T.O. CONC SLAB OR SUB FL. UNO.
4. REFER TO C100 FOR INSULATION SPECS, OTHER GENERAL NOTES, DRAWING INDEX, AND ABBREVIATIONS.
5. REFER TO L100 FOR SITE, UTILITY & LANDSCAPE PLAN NOTES & SPECS.
6. REFER TO ARCHITECTURAL PLAN SHEETS (A10X) FOR WALL & RO DIMS, HEAD & SILL HEIGHTS, AND FINISH SPECS INCLUDING WINDOW AND DOOR SCHEDULES, MECHANICAL PLUMBING AND ELEC. SPECS.
7. REFER TO ROOF PLAN (A103) FOR ROOF MATERIALS, SPECIFICATIONS, AND NOTES.
8. **SILL DIMENSIONS ARE FROM T.O. SLAB OR T.O. SUBFL OR TO SILL RO.** HEAD RO DIMS ARE FROM SILL RO.
9. REFER TO ELEVATION SHEETS (A20X) FOR EXTERIOR FINISHES, NOTES AND SPECS.
10. REFER TO SHEETS A301 FOR WALL & BUILDING SECTION DETAILS, MATERIALS, AND CONFIGURATION.

RDC ARCHITECTURE

ROBERT D CREASY ARCHITECTURE
PO BOX 819 - 105 WILLIAMS STREET
MINTURN, CO 81645-0819
MB: 760.937.2600 (Robert)
robert@rdcarch.com

STRUCTURAL ENGINEER

SURVEYOR
PEAK LAND SURVEYING, INC.
1000 Lion's Ridge Loop
Vail, CO 81657
970.476.8644

GEO/SOILS ENGINEER - SPECIAL INSPECTION SERVICES
Not Applicable

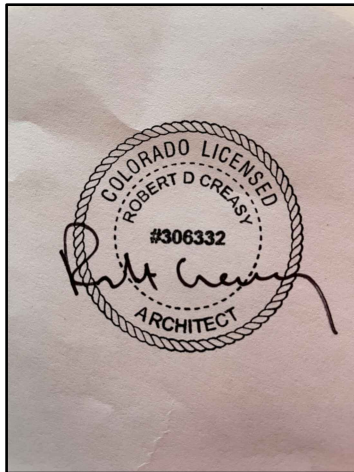
GENERAL CONTRACTOR

MINTURN WHISKY COMPANY

PARCELS # 2103-263-002 & 003
161 MAIN ST / 161 NELSON
MINTURN, CO 81645

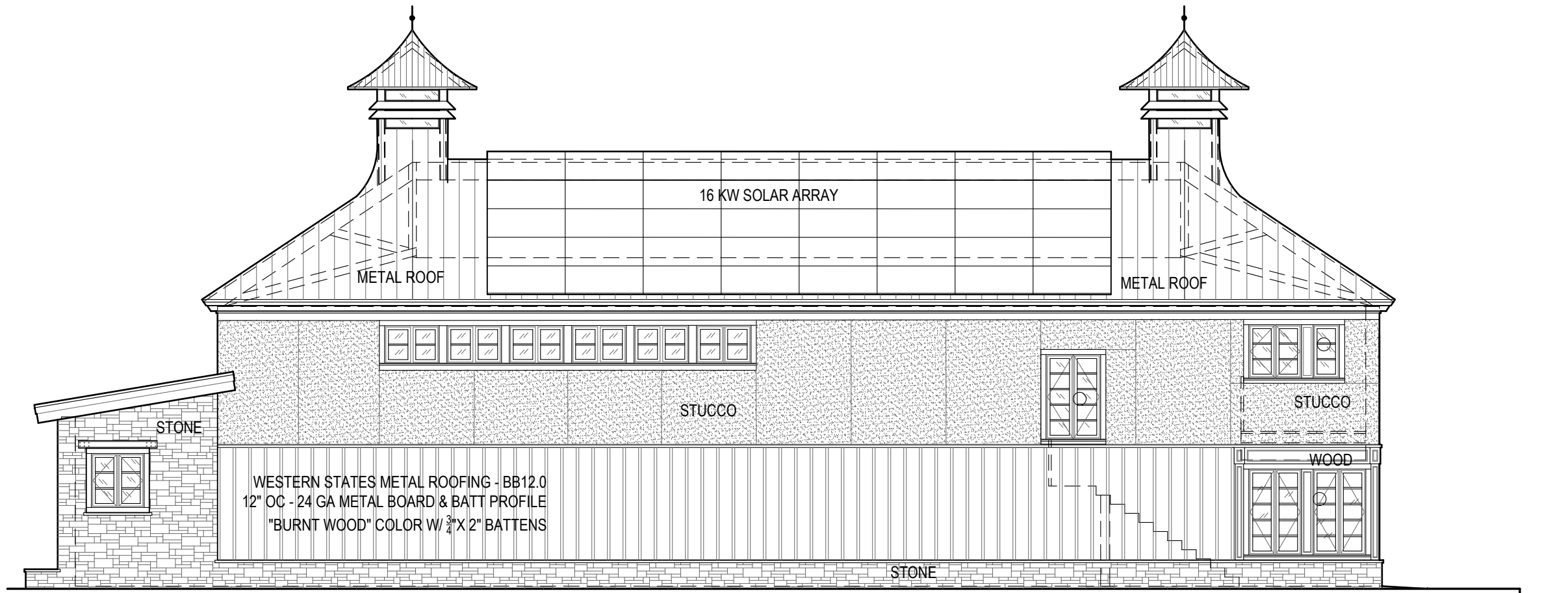
OWNER:
STEFANIE & SPENCE NEUBAUER

stef@erwhisky.com & spence@erwhisky.com
MB: 603.770.8756



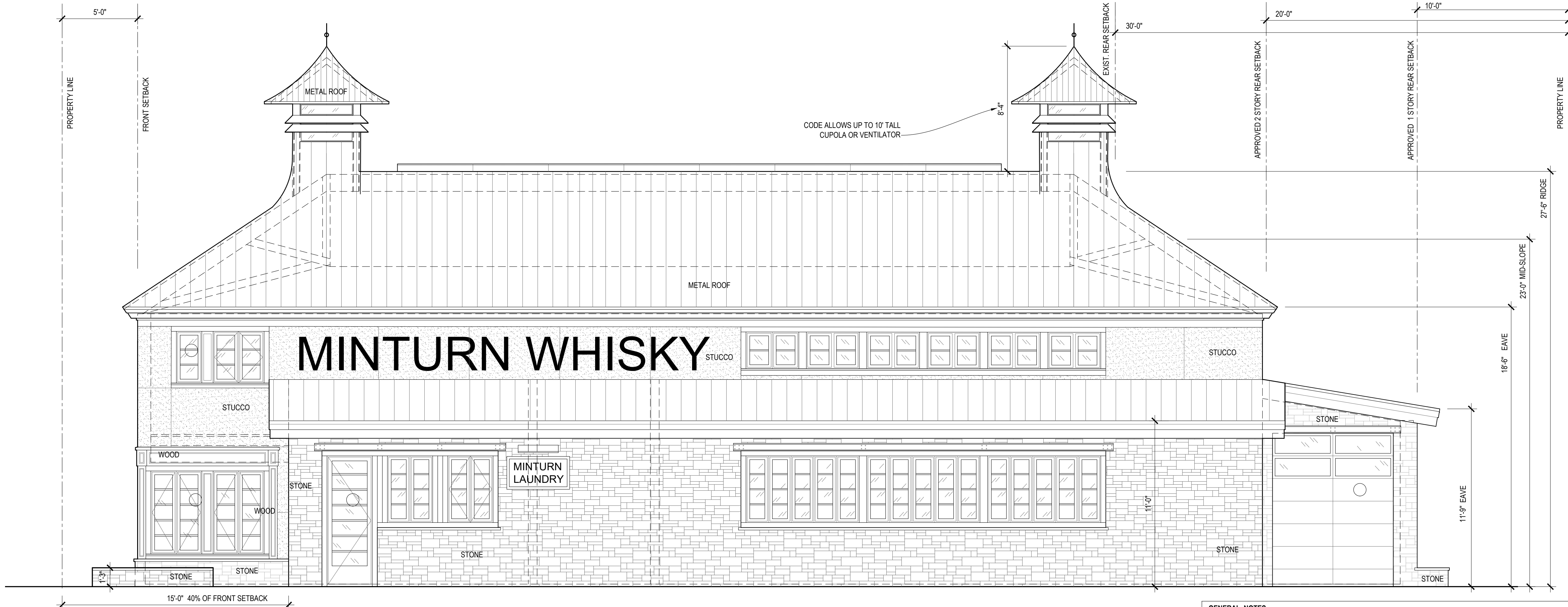
DRB & CUP Submittal December 10, 2024
DATE: NOT FOR CONSTRUCTION
PROJECT #: 2410

SOUTH ELEVATION
NORTH ELEV - NELSON ST
NOTES & SPECIFICATONS
A201



B4 SOUTH ELEVATION

A201 0' 2' 4' 8' 16'



F2 NORTH ELEVATION

A201 0' 1' 2' 4' 8'

GENERAL NOTES:

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RDC ARCHITECTURE

ROBERT D CREASY ARCHITECTURE
PO BOX 819 - 105 WILLIAMS STREET
MINTURN, CO 81645-0819
MB: 760.937.2600 (Robert)
robert@rdcarch.com

STRUCTURAL ENGINEER

SURVEYOR
PEAK LAND SURVEYING, INC.
1000 Lion's Ridge Loop
Vail, CO 81657
970.476.8644

GEO/SOILS ENGINEER - SPECIAL INSPECTION SERVICES
Not Applicable

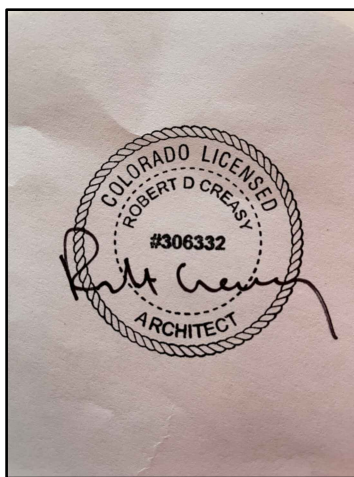
GENERAL CONTRACTOR

MINTURN WHISKY COMPANY

PARCELS # 2103-263-002 & 003
161 MAIN ST / 161 NELSON
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OWNER:
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DRB & CUP Submittal December 10, 2024

DATE: NOT FOR CONSTRUCTION

PROJECT #: 2410

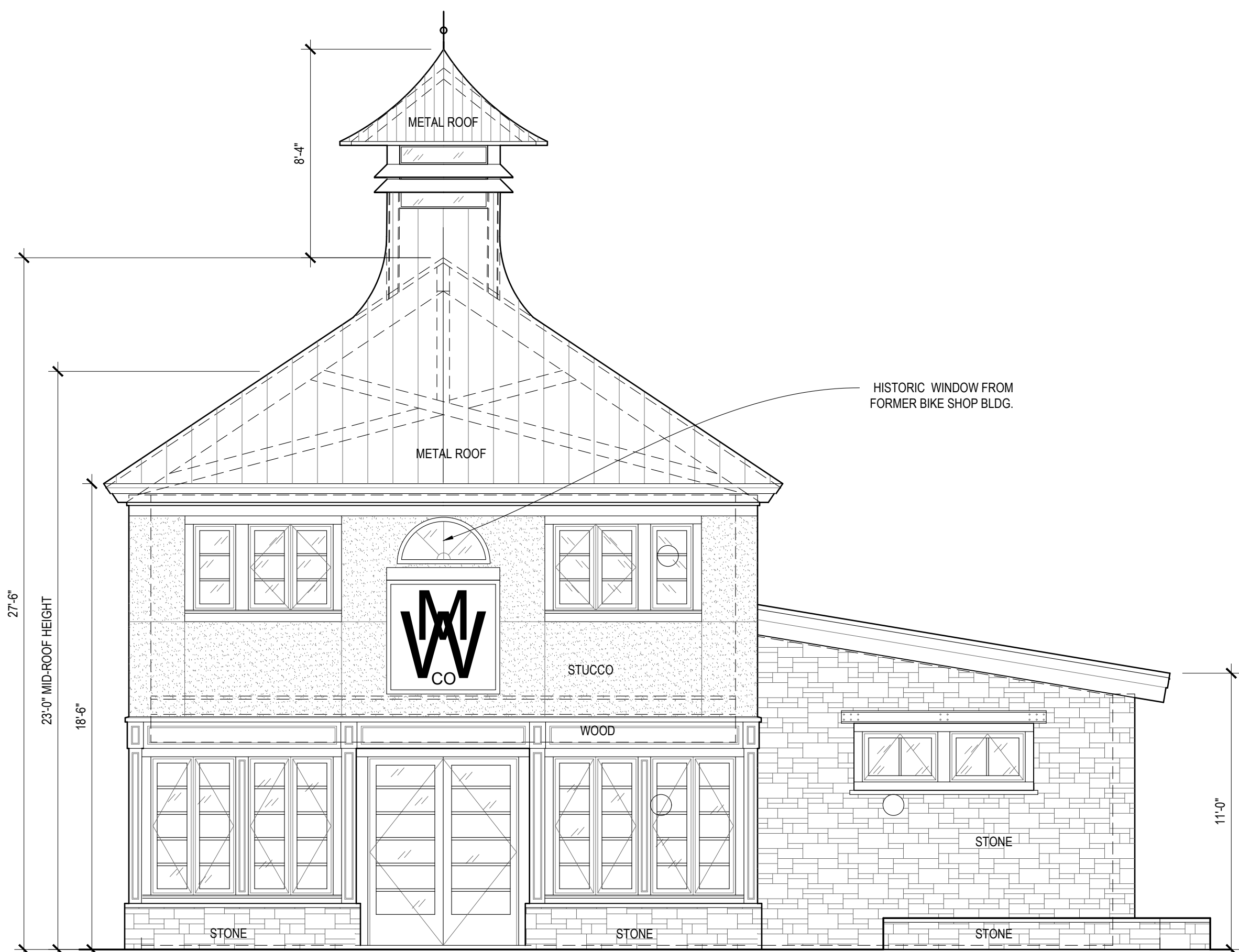
EAST ELEV - MAIN ST
WEST ELEV - WILLIAMS ST
NOTES & SPECIFICATONS
A202



F1

WEST ELEVATION - WILLIAMS STREET

A202



F5

EAST ELEVATION - MAIN STREET

A202



GENERAL NOTES:

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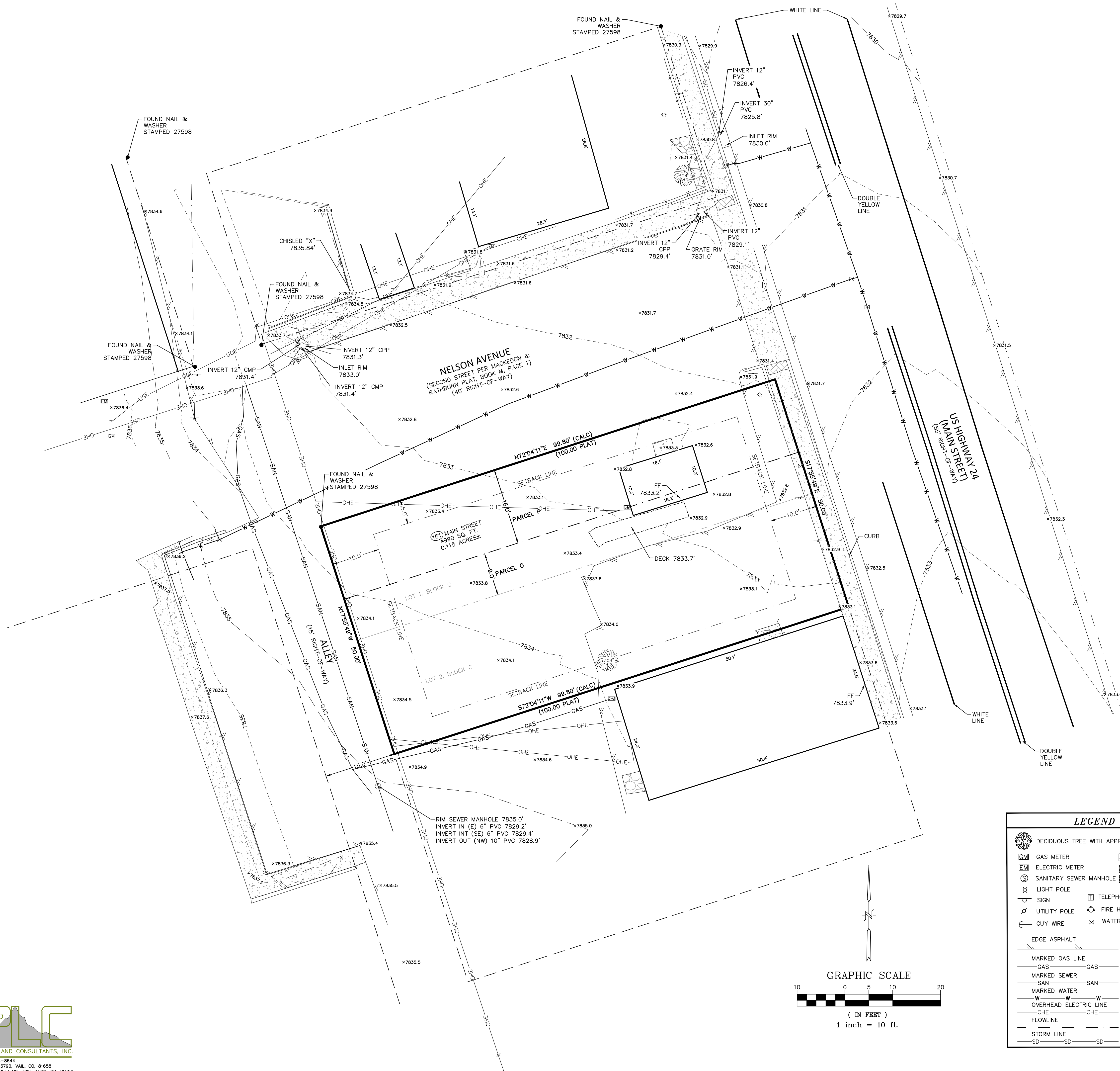
GENERAL NOTES

1. DATE OF TOPOGRAPHY: OCTOBER 09, 2024
2. PROJECT BENCHMARK: NGS BENCHMARK "T 280" ELEVATION=7894.20 (NAVD 88).
3. LINEAL UNITS OF MEASUREMENT SHOWN ARE GIVEN IN US SURVEY FOOT.
4. THIS TOPOGRAPHIC MAP IS NOT A LAND SURVEY PLAT OR IMPROVEMENT SURVEY PLAT. IT IS NOT INTENDED TO RESOLVE ANY BOUNDARY ISSUES THAT MAY EXIST ON THIS LOT OR TO REESTABLISH ANY MISSING LOT MONUMENTS.
5. THE EXISTING UTILITIES SHOWN HEREON ARE FROM MARKINGS FOUND ON THE GROUND. PEAK LAND CONSULTANTS, INC. AND/OR OWNER ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OR COMPLETENESS OF UTILITIES SHOWN ON THIS MAP.
6. PEAK LAND SURVEYING, INC. DID NOT PERFORM A TITLE SEARCH OF THE SUBJECT PROPERTY TO ESTABLISH OWNERSHIP, EASEMENTS OR RIGHTS-OF-WAY OF RECORD. RECORD DOCUMENTS UTILIZED IN THIS TOPOGRAPHIC MAP WERE PROVIDED BY LAND TITLE GUARANTEE COMPANY ORDER NO. V50072932 DATED SEPTEMBER 30 2024 AT 5:00 P.M.
7. NOTICE:
ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

EXCEPTIONS:

PER SAID TITLE COMMITMENT PROVIDED BY LAND TITLE GUARANTEE COMPANY, THE FOLLOWING AFFECT THE SUBJECT PROPERTY:

9. RIGHT OF PROPRIETOR OF A VEIN OR LODE TO EXTRACT AND REMOVE HIS ORE THEREFROM SHOULD THE SAME BE FOUND TO PENETRATE OR INTERSECT THE PREMISES AS RESERVED IN UNITED STATES PATENT RECORDED FEBRUARY 09, 1901, IN BOOK 48 AT PAGE 245. (NOT ABLE TO PLOT)
10. RIGHT OF WAY FOR DITCHES OR CANALS CONSTRUCTED BY THE AUTHORITY OF THE UNITED STATES AS RESERVED IN UNITED STATES PATENT RECORDED FEBRUARY 09, 1901, IN BOOK 48 AT PAGE 245. (NOT ABLE TO PLOT)
11. THE EFFECT OF ORDINANCE NO. 129, RECORDED DECEMBER 20, 1974, IN BOOK 238 AT PAGE 5. (NOT ABLE TO PLOT)
12. ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE EAGLE RIVER FIRE PROTECTION DISTRICT, AS EVIDENCED BY INSTRUMENT RECORDED MAY 30, 2002, UNDER RECEPTION NO. 799500. (NOT ABLE TO PLOT)
13. ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE EAGLE RIVER WATER AND SANITATION DISTRICT, AS EVIDENCED BY INSTRUMENT RECORDED DECEMBER 31, 2009, UNDER RECEPTION NO. 200927997, SPECIAL DISTRICT PUBLIC DISCLOSURE DOCUMENT RECORDED DECEMBER 3, 2013 UNDER RECEPTION NO. 201323922 AND RECORDED DECEMBER 18, 2014 UNDER RECEPTION NO. 201421767 IN REGARDS THEREOF. (NOT ABLE TO PLOT)
14. ANY AND ALL RIGHTS OF ANY DITCH COMPANY DITCH COMPANY RELATING TO ANY DITCHES, WHICH TRAVERSES SUBJECT PROPERTY OR IS DESCRIBED AS A BOUNDARY OF SUBJECT PROPERTY, INCLUDING BUT NOT LIMITED TO DITCH MAINTENANCE AND ACCESS RIGHTS TO LANDS ADJOINING THE DITCH OR CANAL, AS DISCLOSED BY MAP RECORDED FEBRUARY 27, 2017 UNDER RECEPTION NO. 201703240. (NOT ABLE TO PLOT)
15. ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE UPPER EAGLE VALLEY SANITATION DISTRICT, AS EVIDENCED BY INSTRUMENTS RECORDED MARCH 28, 2017, UNDER RECEPTION NOS. 201705247 AND 201705251. (NOT ABLE TO PLOT)
16. TERMS, CONDITIONS AND PROVISIONS CONTAINED IN ORDINANCE NO. 09--SERIES 2017 VACATING A PORTION OF EAGLE STREET RECORDED NOVEMBER 02, 2017 UNDER RECEPTION NO. 201720945. (NOT ABLE TO PLOT)
17. TERMS, CONDITIONS AND PROVISIONS AS CONTAINED IN CORRESPONDENCE FROM COLORADO DEPARTMENT OF TRANSPORTATION REGARDING 106 MAIN STREET DATED JUNE 20, 2017 AND STORED IN OUR SYSTEM AS IMAGE 6163847. (NOT ABLE TO PLOT)
18. TERMS, CONDITIONS AND PROVISIONS CONTAINED IN ORDINANCE NO. 5 -- SERIES 2016 AMENDING TOWN OF MINTURN ZONING CODE AND STORED IN OUR SYSTEM AS IMAGE 6231738. (NOT ABLE TO PLOT)
19. ANY FACTS, RIGHTS, INTERESTS OR CLAIMS WHICH MAY EXIST OR ARISE BY REASON OF THE FOLLOWING FACTS SHOWN ON ALTA/NSPS LAND TITLE SURVEY CERTIFIED JANUARY 25, 2017 PREPARED BY PEAK LAND CONSULTANTS, INC., JOB #2062 SAID DOCUMENT STORED AS OUR ESI 32392011
A. OVERHEAD UTILITY LINES CROSS PROPERTY WITHOUT BENEFIT OF EASEMENTS (AS SHOWN HEREON)
B. BUILDING ENCROACHES OVER NEIGHBOR'S PROPERTY (NO LONGER APPLIES)



LEGEND	
	DECIDUOUS TREE WITH APPROX TRUNK DIAMETER
	GAS METER
	ELECTRIC METER
	SANITARY SEWER MANHOLE
	LIGHT POLE
	SIGN
	UTILITY POLE
	GUY WIRE
	CONCRETE
	FLAGSTONE
	PAVERS
	TELEPHONE PEDESTAL
	FIRE HYDRANT
	WATER VALVE
	EDGE ASPHALT
	MARKED GAS LINE
	MARKED SEWER
	MARKED WATER
	OVERHEAD ELECTRIC LINE
	FLOWLINE
	STORM LINE

SURVEYOR'S CERTIFICATE

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



DATE: _____

BRENT BIGGS
COLORADO P.L.S. No. 27598
FOR & ON BEHALF OF PEAK
LAND CONSULTANTS, INC.

TOPOGRAPHIC MAP
LOTS 1 AND 2, BLOCK C
MAKEDON AND RATHBURN SUBDIVISION
TOWN OF MINTURN, EAGLE COUNTY, COLORADO

DRAWN: KPJ	REVIEWED: BB	SHEET 1 OF 1
DATE: 10/30/24	PLC JOB#: 2062.6	



(SEAL)

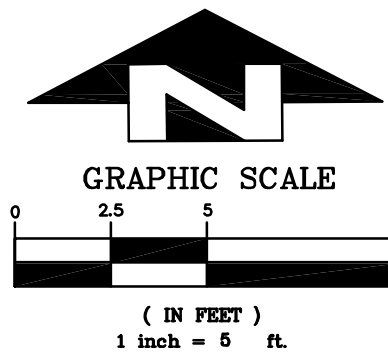
EAGLE RIVER WHISKY
161 MAIN ST, MINTURN
GRADING AND DRAINAGE PLAN

DESIGNED	DATE	NO.	DATE	REVISIONS	BY
XXX					
DRAWN					
CHECKED					
JOB NO.					
DATE					

SHEET
C2.0

LEGEND

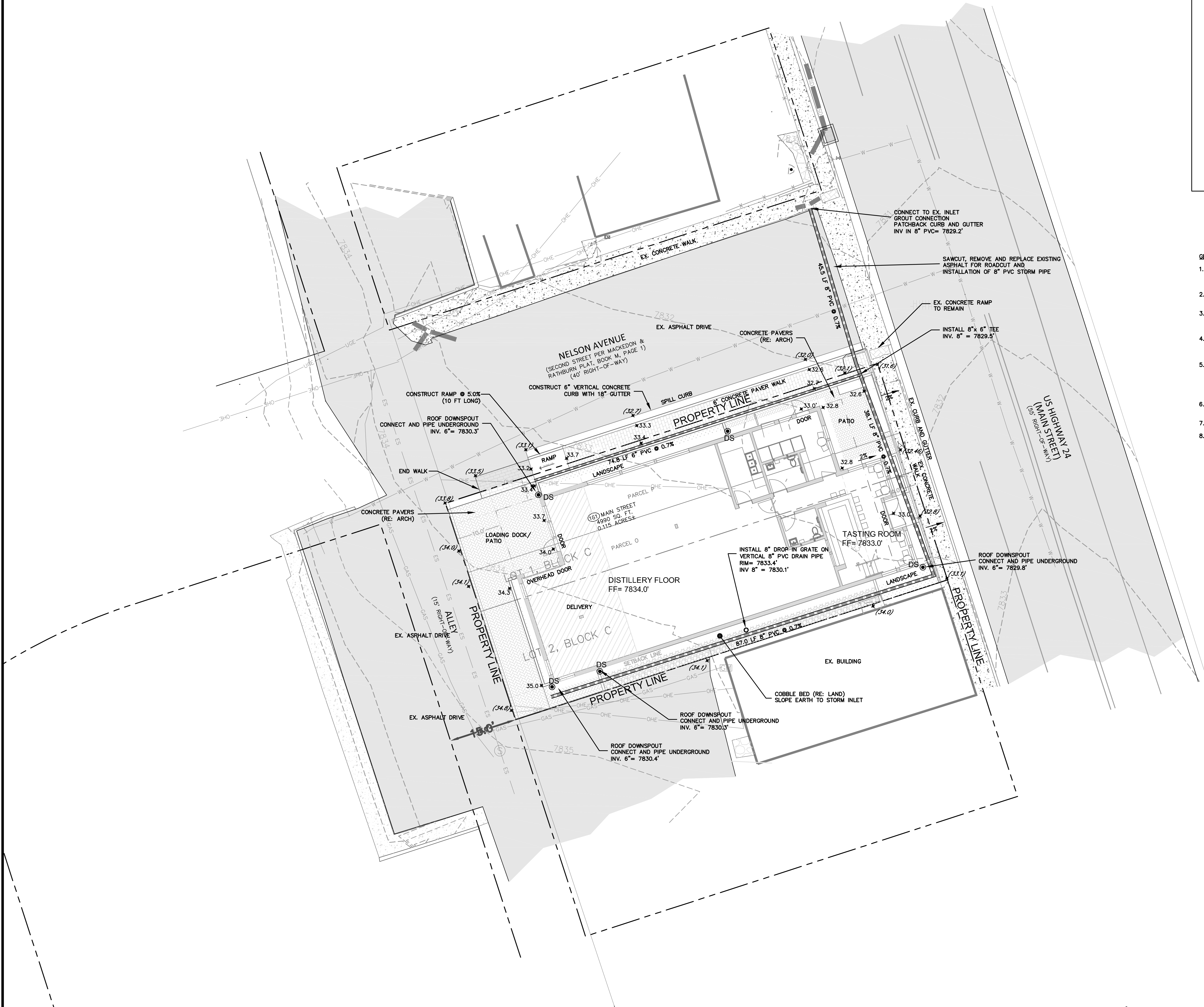
---	PROPERTY LINE
--- 8110 ---	EXISTING CONTOUR
---	EASEMENT
--- 8106 ---	PROPOSED CONTOUR
1.5% 06.6'	PROPOSED GRADING, SLOPE/SPOT
1.5% 06.6'	EXISTING GRADING, SLOPE/SPOT
---	PROPOSED STORM SEWER
---	PROPOSED BOULDER RETAINING
---	PROPOSED CONCRETE/ASPHALT



TOPOGRAPHIC INFORMATION
PROVIDED BY PEAK LAND
CONSULTING, 2024

GENERAL NOTES FOR SEDIMENT CONTROL

1. INSTALL AND MAINTAIN SEDIMENT CONTROL MEASURES IN ACCORDANCE WITH THESE PLANS AND AS NEEDED TO PREVENT SEDIMENT FROM DISCHARGING OFF-SITE OR ENTERING THE RIVER.
2. ALL PROPOSED SEDIMENT CONTROL MEASURES ARE TEMPORARY MEASURES UNLESS SPECIFIED OTHERWISE ON PLANS.
3. SEDIMENT CONTROL MEASURES MAY REQUIRE FIELD ADJUSTMENTS AT THE TIME OF CONSTRUCTION TO INSURE THAT THEIR INTENDED PURPOSE IS ACCOMPLISHED.
4. INSTALL SEDIMENT CONTROL MEASURES AT THE ONSET OF GRADING OPERATIONS SO THAT EFFECTIVE SEDIMENT CONTROL CAN BE ACHIEVED DURING THE ENTIRE CONSTRUCTION PERIOD.
5. 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'.
6. REMOVAL AND CLEANUP OF ANY SEDIMENT THAT LEAVES THE SITE IS THE RESPONSIBILITY OF THE CONTRACTOR
7. TOPSOIL AND REVEGETATE ALL DISTURBED AREAS
8. CONTRACTOR SHALL REMOVE SEDIMENT CONTROL FACILITIES AFTER FINAL STABILIZATION.

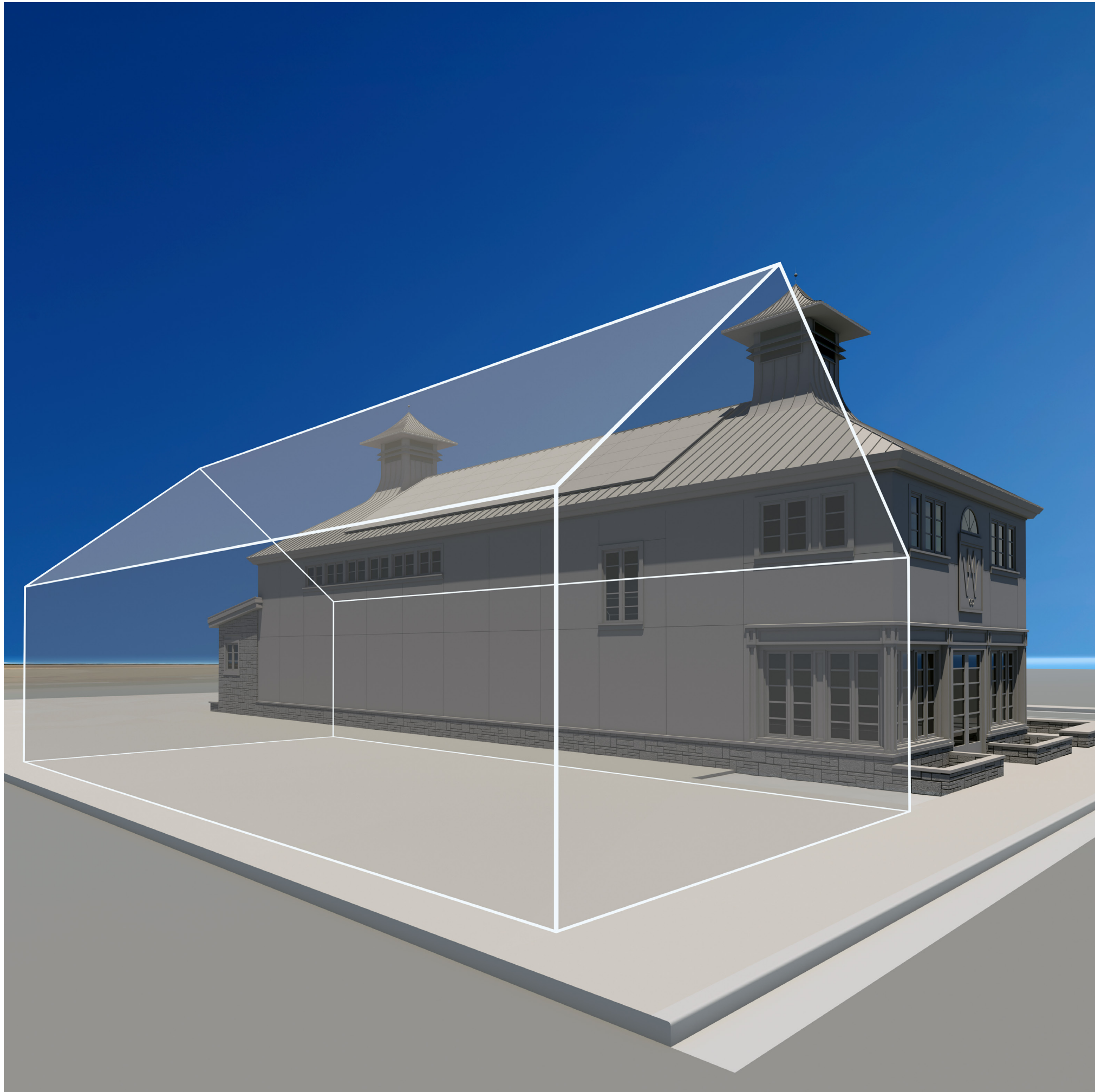












**DESIGN REVIEW APPLICATION**

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

Project Name:

Minturn Whisky Company

Project Location

Street Address: 161 Main St and 161 Neslon Ave

Zoning: 100 Block Commercial Zone

Parcel Number(s): 2103-263-11-002 & 2103-26

Application Request:

Approve the design for the Minturn Whisky Company Distillery and Tasting Room

Applicant:

Name: Stefanie and Spence Neubauer

Mailing Address: PO Box 1253, Minturn, CO 81645

Phone: 970-763-8660

Email: spence@minturnwhisky.com

Property Owner:

Name: Eagle River Holdings Ltd

Mailing Address: PO Box 1253, Minturn, CO 81645

Phone: 970-763-8660

Email: spence@minturnwhisky.com

Required Information:

Lot Size: 4,990 sqft	Type of Residence (Single Family, ADU, Duplex) N/A	# of Bedrooms N/A	# On-site Parking Spaces 0
# of Stories: 2	Snow storage sq ft: 269 (5.4%)	Building Footprint sq ft: 3,092	Total sq ft Impervious Surface: 4,401

Signature:

Fee Paid: _____

Date Received: _____

Planner: _____

EAGLE RIVER HOLDINGS LTD

Eagle River Holdings Ltd

Minturn Whisky Company

161 Main Street

PO Box 1253

Minturn, CO 81645

September 23, 2024

Town of Minturn

302 Pine Street

PO Box 302

Minturn, CO 81645

To Town of Minturn Planning Department,

Re: Letter of Intent for Design Review of 161 Main Street and 161 Nelson Ave**Relevant Background:**

The lot at 161 Main Street and 161 Nelson Ave once housed the well-known local bike shop, the Mountain Pedaler. The previous owner, MR Minturn, purchased the property in 2017, and the building was demolished in 2019, leaving the lot vacant. In late 2023, the owner of Minturn Whisky Company (formerly Eagle River Whisky) acquired the property with the intention of redeveloping it to better serve the community and visitors.

Current Status of the Site:

In spring 2024, a temporary shed structure was built on the lot and is currently operating as a whisky tasting room under a Limited Use Permit granted by the town. This permit allows the space to function as a tasting room, with occasional food trucks and farmers markets providing additional offerings.

Proposed Uses and Structures:

The proposed project includes the construction of one structure to house the tasting room on the Main Street frontage and the distillery in the rear. The front commercial space will serve as a whisky tasting room in the afternoon and evening hours. In the mornings, the space may be utilized as a coffee shop offering espresso drinks and breakfast snacks, allowing the business to serve the community throughout the day.

On the Nelson Ave frontage, there will be an entrance to a small (~150 ft²) area that could possibly be a co-working, meeting, or retail space. There will be a bookcase/hidden door that provides a “speakeasy” entrance into the tasting room.

The proposed use in the rear of the building will be Light Manufacturing for distilling, proofing, and bottling whisky. Minimal barrel storage will be utilized on site (less than 100 barrels/5300 gallons). This space will be open to the public for daily distillery tours and an occasional event space (e.g. fly-tying nights, bachelor/ette parties, corporate team-building, etc.). Additionally, the distillery will be an educational space for visitors and industry partners. The scalable, sustainability measures will be a model for other distilleries of all sizes.

How the Proposal Differs from Current Use:

While a whisky tasting room currently exists on the site under the terms of a Limited Use Permit, this permit is temporary and expires after one year, with the option for only one renewal. Our proposal would result in a permanent, thoughtfully designed structure that offers year-round service and additional tax revenue for the town, as well as another draw to bring visitors. The Town Council has already approved a variance request for rear setback relief, which is contingent upon this building design and the granting of a conditional use permit.

The two lots (161 Main Street and 161 Nelson Ave) have historically been used and sold as “one property” even though they are two separate plats. The owners are currently in the process of abandoning the shared property line and forming a single lot.

The new proposal will significantly upgrade the current operation, providing a more stable and long-term establishment that will contribute to the fabric Minturn.

Easements and Dedicated Tracts:

At this time, there are no easements or dedicated tracts associated with the property or the proposed development.

We are committed to contributing to the ongoing success of Minturn by creating a unique and valuable addition to Main Street. We believe this building and proposed use will not only enhance the town's charm but also provide meaningful economic and social benefits.

Please find the site plan attached for your review. We welcome any further discussions and look forward to your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Stefanie Neubauer', with a stylized, flowing script.

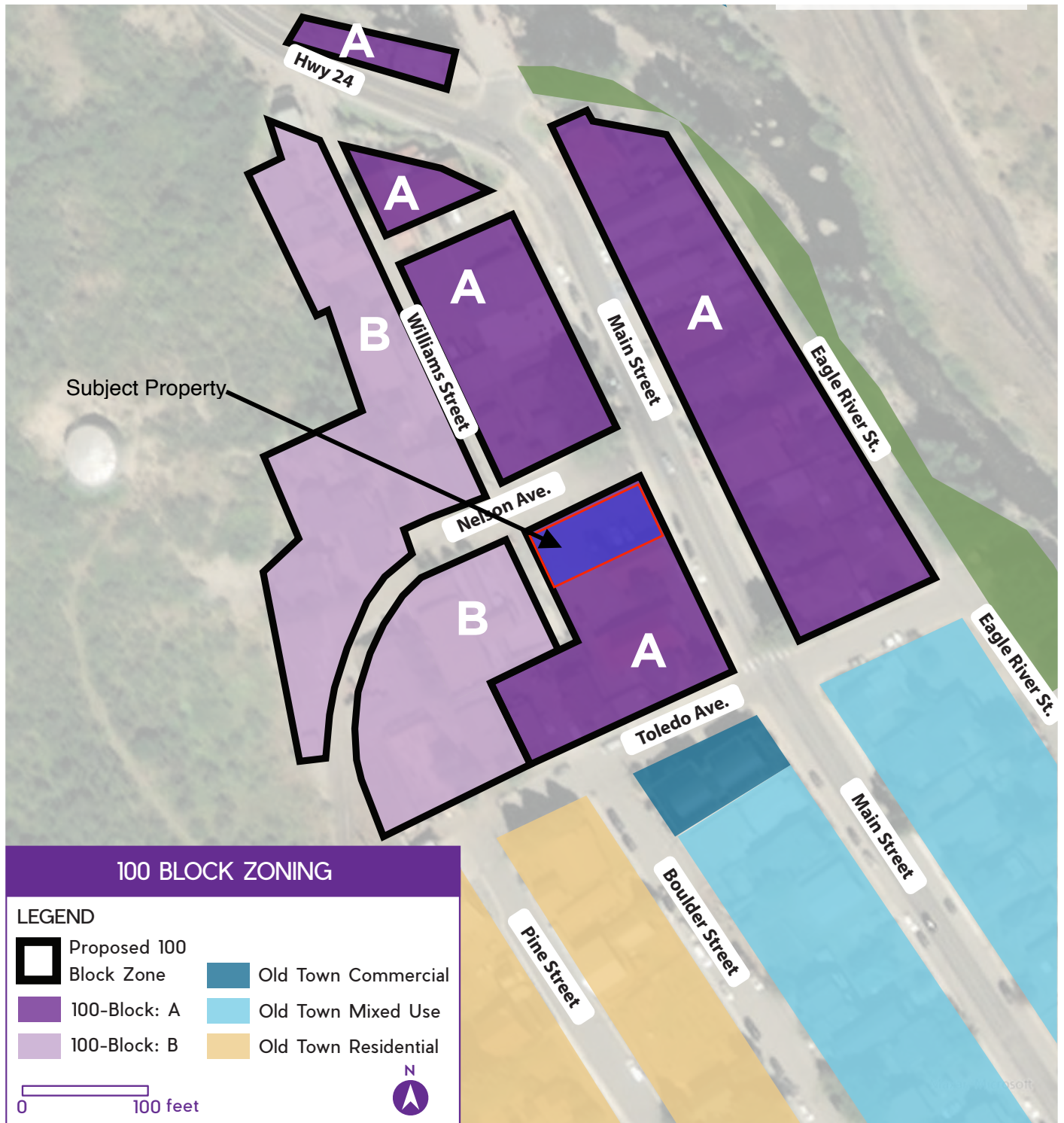
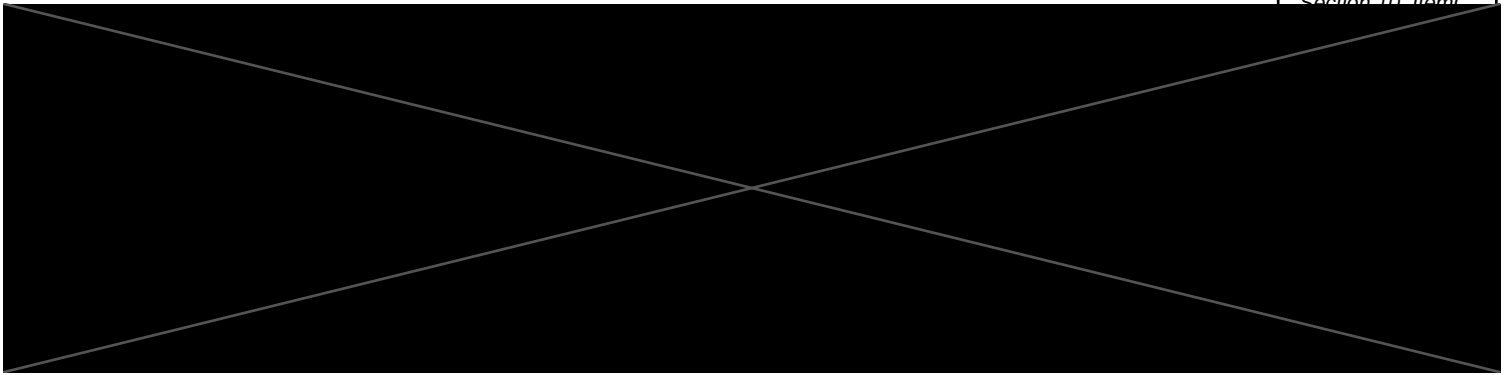
Stefanie Neubauer

CEO

Eagle River Holdings Ltd

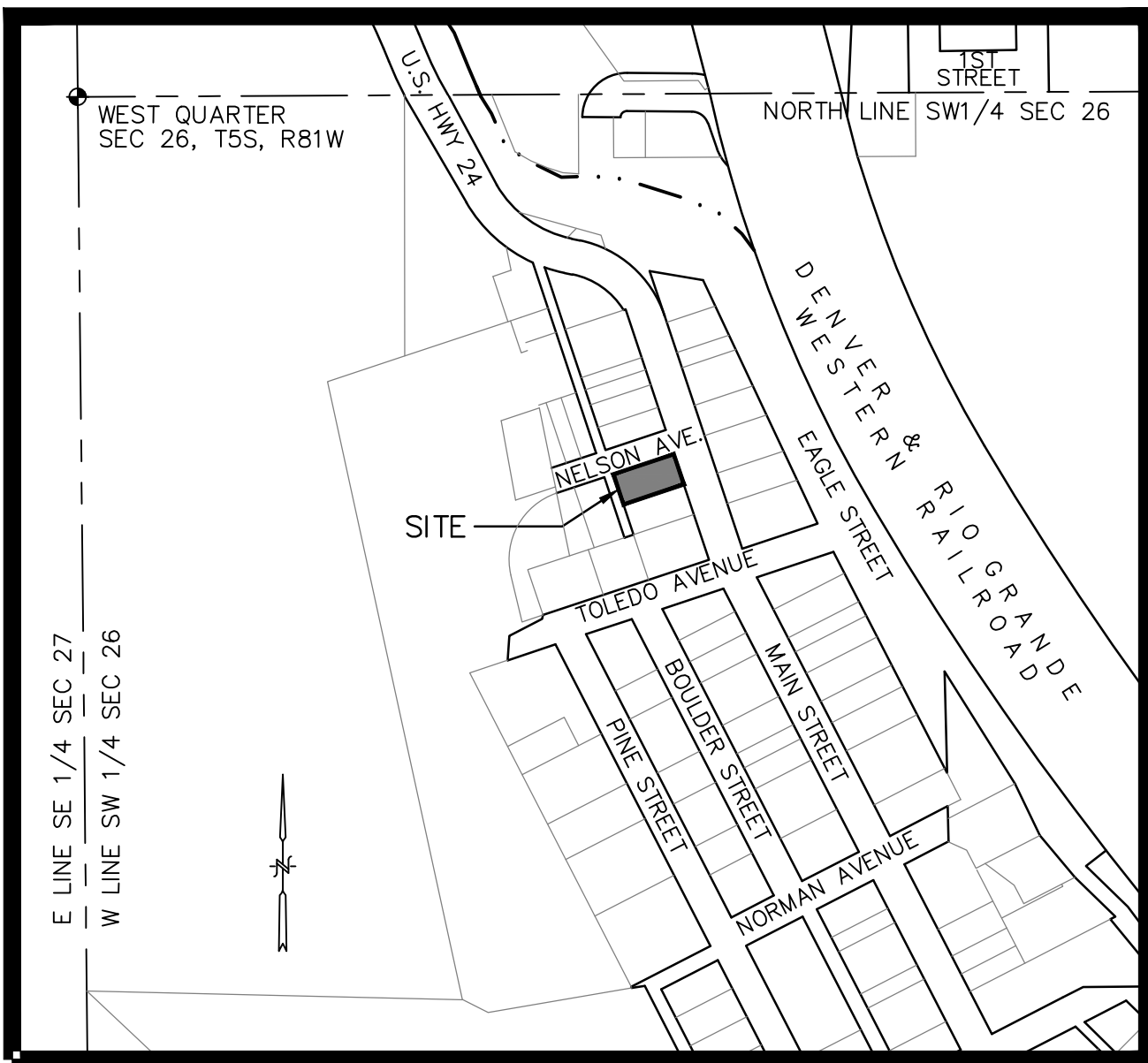
Minturn Whisky Company

stef@erwhisky.com

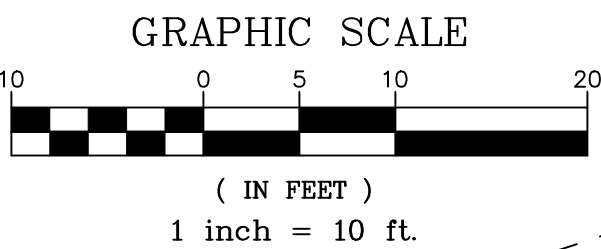
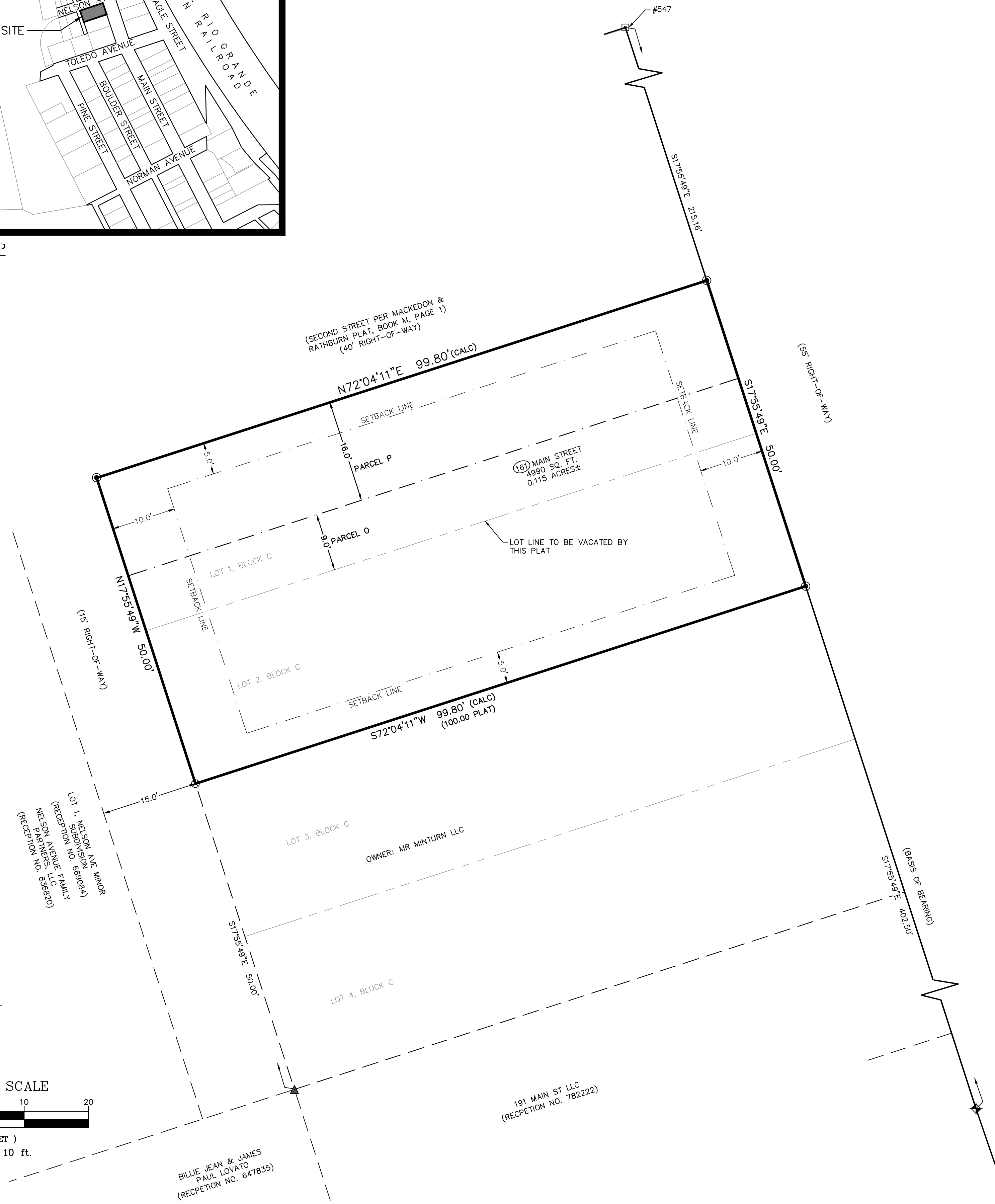


EAGLE COUNTY FILE NO. _____

AMENDED FINAL PLAT
A RESUBDIVISION OF LOTS 1 & 2, BLOCK C,
MACKEDON & RATHBURN SUBDIVISION,
TOWN OF MINTURN, COUNTY OF EAGLE, STATE OF COLORADO



VICINITY MAP
SCALE: 1"=500'



CERTIFICATE OF DEDICATION AND OWNERSHIP

KNOW ALL MEN BY THESE PRESENTS THAT EAGLE RIVER HOLDINGS LTD, A COLORADO CORPORATION BEING SOLE OWNER IN FEE SIMPLE ALL THAT REAL PROPERTY SITUATED IN THE TOWN OF MINTURN, EAGLE COUNTY, COLORADO DESCRIBED AS FOLLOWS:

PARCEL O:
THE EAST NINE FEET, MORE OR LESS, OF LOT ONE, AND MORE SPECIFICALLY BEING A STRIP OF LAND NINE FEET, MORE OR LESS, IN WIDTH AND ONE HUNDRED FEET, MORE OR LESS, IN LENGTH, OF THE SOUTHWESTERLY SIDE OF SAID LOT, AND ALL IN BLOCK LETTERED "C" IN MACKEDON AND RATHBURN'S SUBDIVISION OF BOOCO'S ADDITION TO THE TOWN OF MINTURN, COUNTY OF EAGLE, STATE OF COLORADO, RECORDED JANUARY 5, 1892 UNDER RECEPTION NO. 10580.

PARCEL P:
ALL THAT PART OF LOT 1, BLOCK "C", MACKEDON AND RATHBURN'S SUBDIVISION OF BOOCO'S ADDITION, TOWN OF MINTURN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING ON THE NORTHEASTERLY CORNER OF SAID LOT 1, WHICH POINT IS THE INTERSECTION OF MAIN AND SECOND STREET; THENCE SOUTHWESTERLY ALONG THE EASTERLY SIDE LINE OF SECOND STREET, A DISTANCE OF 100 FEET; THENCE SOUTHEASTERLY AND PARALLEL WITH MAIN STREET, A DISTANCE OF 16 FEET; MORE OR LESS; THENCE NORTHEASTERLY AND PARALLEL WITH SECOND STREET, A DISTANCE OF 100 FEET TO THE SIDE LINE OF MAIN STREET; THENCE NORTHWESTERLY ALONG MAIN STREET, A DISTANCE OF 16 FEET; MORE OR LESS, TO THE POINT OF BEGINNING, COUNTY OF EAGLE, STATE OF COLORADO.

CONTAINING 0.115 ACRES MORE OR LESS; HAVE BY THESE PRESENTS LAID OUT, PLATTED AND SUBDIVIDED THE SAME INTO LOTS AND BLOCKS AS SHOWN ON THIS FINAL PLAT UNDER THE NAME AND STYLE OF:

AMENDED FINAL PLAT A RESUBDIVISION OF LOTS 1 AND 2, BLOCK C, MACKEDON & RATHBURN SUBDIVISION

A SUBDIVISION IN THE TOWN OF MINTURN, COUNTY OF EAGLE; AND DOES HEREBY ACCEPT THE RESPONSIBILITY FOR THE COMPLETION OF REQUIRED IMPROVEMENTS; AND DO HEREBY DEDICATE AND SET ASIDE ALL OF THE PUBLIC ROADS AND OTHER PUBLIC IMPROVEMENTS AND PLACES AS SHOWN ON THE ACCOMPANYING PLAT TO THE USE OF THE PUBLIC FOREVER; AND DO HEREBY DEDICATE THOSE PORTIONS OF SAID REAL PROPERTY WHICH ARE CREATED AS EASEMENTS ON THE ACCOMPANYING PLAT TO THE PUBLIC FOREVER AS EASEMENTS FOR THE PURPOSES SHOWN HEREIN, UNLESS OTHERWISE EXPRESSLY PROVIDED THEREON; AND DO HEREBY GRANT THE RIGHT TO INSTALL AND MAINTAIN NECESSARY STRUCTURES TO THE ENTITY RESPONSIBLE FOR PROVIDING THE SERVICES FOR WHICH THE EASEMENTS ARE ESTABLISHED.

EXECUTED THIS _____ DAY OF _____, A.D., 20_____

OWNER: EAGLE RIVER HOLDINGS LTD
A COLORADO CORPORATION ADDRESS: _____

BY: _____

TITLE: _____

STATE OF COLORADO _____)
COUNTY OF EAGLE _____) SS

THE FOREGOING CERTIFICATE OF DEDICATION AND OWNERSHIP WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, A.D., 20_____ BY _____

AS _____ OF EAGLE RIVER HOLDINGS LTD, A COLORADO CORPORATION

MY COMMISSION EXPIRES: _____

WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC

MINTURN TOWN CERTIFICATE

THIS PLAT IS APPROVED BY THE TOWN COUNCIL OF THE TOWN OF MINTURN, COUNTY OF EAGLE, STATE OF COLORADO THIS _____ DAY OF _____, A.D., 20_____, FOR FILING WITH THE CLERK AND RECORDER OF THE COUNTY OF EAGLE. THIS PLAT SHALL SUPERSEDE THE PRIOR PLAT, SUBJECT TO THE PROVISION THAT APPROVAL IN NO WAY OBLIGATES THE TOWN OF MINTURN FOR FINANCING OR CONSTRUCTION OF IMPROVEMENTS ON LANDS, STREETS OR EASEMENTS DEDICATED EXCEPT AS INDICATED. THIS CERTIFICATE FURTHER EVIDENCES THE VACATION OF ANY AND ALL ROADWAYS WHICH MAY HAVE BEEN PREVIOUSLY DESIGNATED ON SUCH PRIOR PLAT OR WHICH ROADWAY MAY HAVE BEEN OTHERWISE CONVEYED TO OR ACQUIRED BY THE TOWN OF MINTURN. ALL RIGHT, TITLE, OR INTEREST OF MINTURN TO ANY SUCH ROADWAY HAS BEEN DIVESTED AND THIS CERTIFICATE CONFIRMS THE VACATION OF SUCH ROADWAY. APPROVAL OF THIS PLAT BY THE TOWN IS A CONSENT ONLY AND IS NOT TO BE CONSTRUED AS AN APPROVAL OF THE TECHNICAL CORRECTNESS OF THIS PLAT OR ANY DOCUMENTATION RELATING THERETO.

WITNESS MY HAND AND THE SEAL OF THE TOWN OF MINTURN
TOWN COUNCIL OF THE TOWN OF MINTURN

BY: _____

ATTEST: _____

MAYOR
TOWN OF MINTURN, COLORADO

TOWN CLERK
TOWN OF MINTURN, COLORADO

GENERAL NOTES:

- DATE OF SURVEY: OCTOBER 04, 2024
- BASIS OF BEARINGS: THE COLORADO STATE PLANE COORDINATE SYSTEM, COLORADO CENTRAL ZONE 0502, NORTH AMERICAN DATUM 1983 (NAD83). THE FOUND BRASS TACK STAMPED "CDOT #542" & THE FOUND 3.25" ALUMINUM CAP STAMPED "CDOT PLS 29034" ON THE NORTHERLY LINE OF US HWY 24 WERE HELD FOR ROTATION, HAVING A BEARING AND DISTANCE OF N60°10'02"W 99.34'. THE CONCRETE WALL ALONG THE EAGLE RIVER, A FOUND RED PLASTIC CAP STAMPED "26626" AND A FOUND 2" ALUMINUM CAP STAMPED "37935" WERE FOUND TO BE IN AGREEMENT WITH THIS ROTATIONAL SOLUTION. DISTANCES SHOWN HEREON ARE SURFACE VALUES DERIVED USING A SCALE FACTOR OF 1.0004037201.
- LINEAL UNITS OF MEASUREMENTS SHOWN ARE GIVEN IN US SURVEY FOOT.
- THE SOLE PURPOSE OF THIS AMENDED FINAL PLAT IS TO VACATE COMMON LOT LINE BETWEEN LOTS 1 AND 2 TO CREATE LOT 1R.
- THERE ARE NO PUBLIC ROAD WAYS, PUBLIC IMPROVEMENTS, OR EASEMENTS BEING DEDICATED TO THE PUBLIC BY THIS PLAT.
- THE ADDRESS INDICATED IN OVAL IS FOR INFORMATION PURPOSES ONLY VERIFY THE FINAL ADDRESS WITH EAGLE COUNTY COMMUNITY DEVELOPMENT DEPARTMENT.
- PEAK LAND CONSULTANTS, INC. DID NOT PERFORM A TITLE SEARCH OF THE SUBJECT PROPERTY TO ESTABLISH OWNERSHIP, EASEMENTS OR RIGHTS-OF-WAY OF RECORD. RECORD DOCUMENTS UTILIZED IN THIS AMENDED FINAL PLAT WERE PROVIDED BY LAND TITLE GUARANTEE COMPANY ORDER NO. 50072932 DATED SEPTEMBER 30, 2024 AT 5:00 P.M.
- NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

TITLE CERTIFICATE

_____DOES HEREBY CERTIFY THAT IT HAS EXAMINED THE TITLE TO ALL LANDS SHOWN UPON THIS PLAT AND THAT TITLE TO SUCH IS VESTED IN _____ FREE AND CLEAR OF ALL LIENS, TAXES AND ENCUMBRANCES, EXCEPT

AS FOLLOWS: _____

DATED THIS _____ DAY OF _____, A.D., 20_____

AGENT _____

CERTIFICATE OF TAXES PAID

I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT THE ENTIRE AMOUNT OF TAXES AND ASSESSMENTS DUE AND PAYABLE AS OF _____ UPON ALL PARCELS OF REAL ESTATE DESCRIBED ON THIS PLAT ARE PAID IN FULL.

DATED THIS _____ DAY OF _____, A.D., 20_____

TREASURER OF EAGLE COUNTY

CLERK AND RECORDER'S CERTIFICATE

THIS PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE CLERK AND RECORDER AT _____ O'CLOCK _____ ON THIS _____ DAY OF _____, 20_____ AND IS DULY RECORDED AT RECEPTION No. _____

CLERK AND RECORDER

BY: _____
DEPUTY

SURVEYOR'S CERTIFICATE

I, BRENT BIGGS, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR LICENSED TO PRACTICE LAND SURVEYING UNDER THE LAWS OF THE STATE OF COLORADO, THAT THIS AMENDED FINAL PLAT IS A TRUE, CORRECT AND COMPLETE PLAT OF AMENDED FINAL PLAT LOTS 1 AND 2, BLOCK C, MACKEDON AND RATHBURN SUBDIVISION AS LAID OUT, PLATTED, DEDICATED AND SHOWN HEREON, THAT SUCH PLAT WAS MADE FROM AN ACCURATE SURVEY OF SAID PROPERTY BY ME AND/OR UNDER MY SUPERVISION AND ACCURATELY SHOWS THE LOCATION AND DIMENSIONS OF THE LOTS, EASEMENTS AND RIGHTS-OF-WAY OF SAID PLAT AS THE SAME ARE MONUMENTED UPON THE GROUND IN COMPLIANCE WITH APPLICABLE REGULATION GOVERNING THE SUBDIVISION OF LAND, THAT SUCH PLAT IS BASED UPON THE PROFESSIONAL LAND SURVEYOR'S KNOWLEDGE, INFORMATION AND BELIEF, THAT IT HAS BEEN PREPARED IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE, AND THAT SUCH PLAT IS NOT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

MONUMENT LEGEND			
●	FOUND MAG NAIL WITH 1½" BRASS TAG STAMPED PEAK LAND CONSULTANTS LS 27598		
⊗	FOUND MAG NAIL WITH 1½" BRASS TAG STAMPED PEAK LAND CONSULTANTS LS 27598		
◆	FOUND No. 6 REBAR WITH 3¼" ALUMINUM CAP STAMPED CDOT PLS 29034		
⊠	FOUND BRASS TACK MARKED CDOT-#547 (SEE DRAWING)		
▲	FOUND No. 5 REBAR WITH 1½" ALUMINUM CAP STAMPED LS 9337		

LAND USE SUMMARY			
LOT	AREA	USAGE	ADDRESS
1	0.115 ACRES	SINGLE FAMILY	161 MAIN STREET

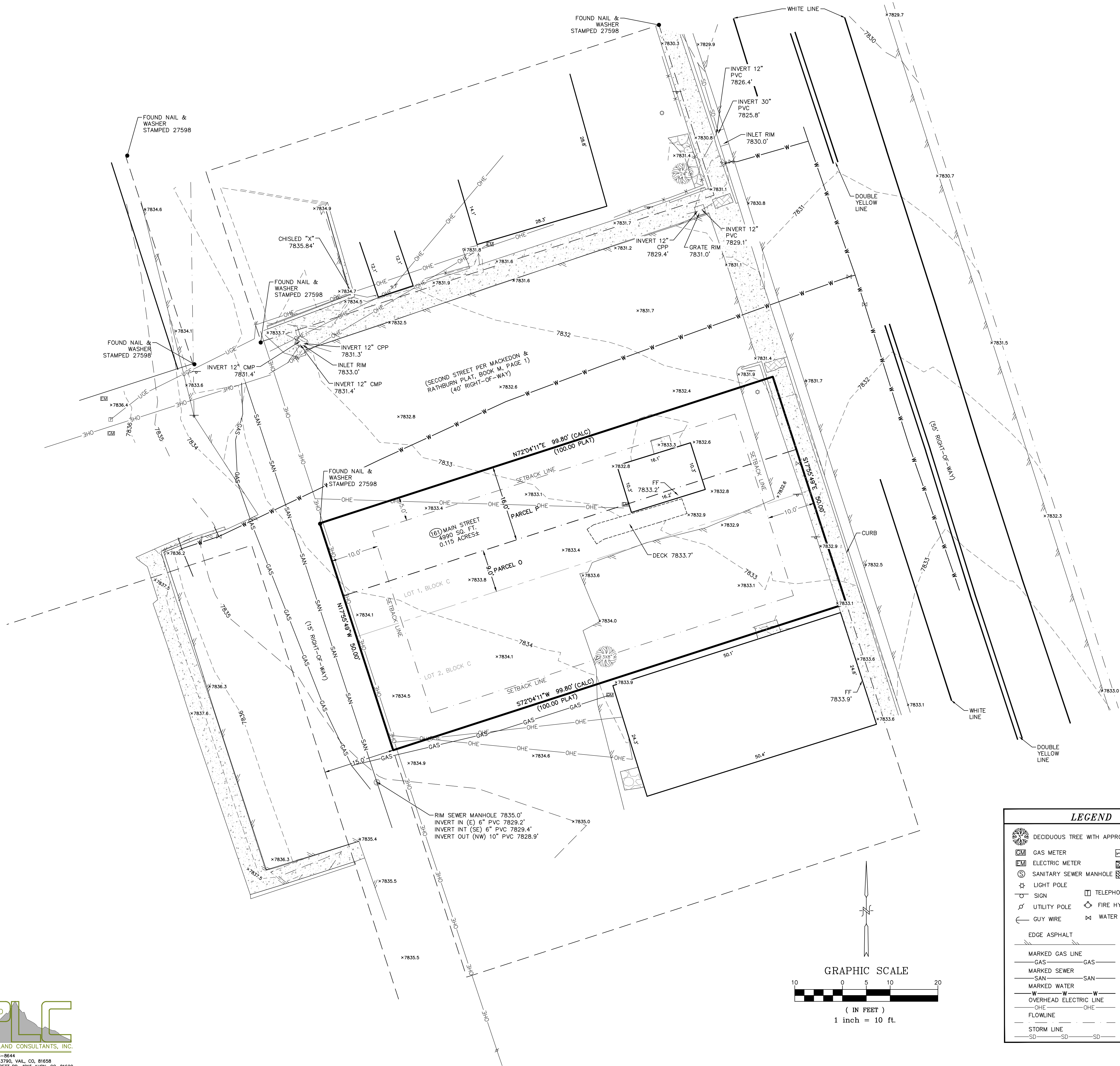
DRAWN: KPJ
DATE: 10/04/24

REVIEWED: BB
PLC JOB#: 2062.6

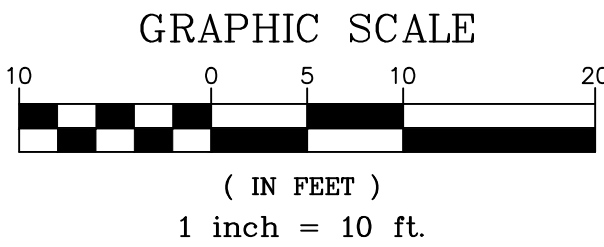
SHEET 1 OF 1



970-476-8544
PO BOX 3790, VAIL, CO, 81658
101 FAWCETT RD. #215 AVON, CO, 81620



LEGEND	
	DECIDUOUS TREE WITH APPROX TRUNK DIAMETER
	GAS METER
	ELECTRIC METER
	SANITARY SEWER MANHOLE
	LIGHT POLE
	SIGN
	UTILITY POLE
	GUY WIRE
	CONCRETE
	FLAGSTONE
	PAVERS
	TELEPHONE PEDESTAL
	FIRE HYDRANT
	WATER VALVE
	EDGE ASPHALT
	MARKED GAS LINE
	MARKED SEWER
	MARKED WATER
	OVERHEAD ELECTRIC LINE
	FLOWLINE
	STORM LINE



GENERAL NOTES

- DATE OF TOPOGRAPHY: OCTOBER 09, 2024
- PROJECT BENCHMARK: NGS BENCHMARK "T 280" ELEVATION=7894.20 (NAVD 88).
- LINEAL UNITS OF MEASUREMENT SHOWN ARE GIVEN IN US SURVEY FOOT.
- THIS TOPOGRAPHIC MAP IS NOT A LAND SURVEY PLAT OR IMPROVEMENT SURVEY PLAT. IT IS NOT INTENDED TO RESOLVE ANY BOUNDARY ISSUES THAT MAY EXIST ON THIS LOT OR TO REESTABLISH ANY MISSING LOT MONUMENTS.
- THE EXISTING UTILITIES SHOWN HEREON ARE FROM MARKINGS FOUND ON THE GROUND. PEAK LAND CONSULTANTS, INC. AND/OR OWNER ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OR COMPLETENESS OF UTILITIES SHOWN ON THIS MAP.
- PEAK LAND SURVEYING, INC. DID NOT PERFORM A TITLE SEARCH OF THE SUBJECT PROPERTY TO ESTABLISH OWNERSHIP, EASEMENTS OR RIGHTS-OF-WAY OF RECORD. RECORD DOCUMENTS UTILIZED IN THIS TOPOGRAPHIC MAP WERE PROVIDED BY LAND TITLE GUARANTEE COMPANY ORDER NO. V50072932 DATED SEPTEMBER 30 2024 AT 5:00 P.M.
- NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

EXCEPTIONS:

PER SAID TITLE COMMITMENT PROVIDED BY LAND TITLE GUARANTEE COMPANY, THE FOLLOWING AFFECT THE SUBJECT PROPERTY:

- RIGHT OF PROPRIETOR OF A VEIN OR LODE TO EXTRACT AND REMOVE HIS ORE THEREFROM SHOULD THE SAME BE FOUND TO PENETRATE OR INTERSECT THE PREMISES AS RESERVED IN UNITED STATES PATENT RECORDED FEBRUARY 09, 1901, IN BOOK 48 AT PAGE 245. (NOT ABLE TO PLOT)
- RIGHT OF WAY FOR DITCHES OR CANALS CONSTRUCTED BY THE AUTHORITY OF THE UNITED STATES AS RESERVED IN UNITED STATES PATENT RECORDED FEBRUARY 09, 1901, IN BOOK 48 AT PAGE 245. (NOT ABLE TO PLOT)
- THE EFFECT OF ORDINANCE NO. 129, RECORDED DECEMBER 20, 1974, IN BOOK 238 AT PAGE 5. (NOT ABLE TO PLOT)
- ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE EAGLE RIVER FIRE PROTECTION DISTRICT, AS EVIDENCED BY INSTRUMENT RECORDED MAY 30, 2002, UNDER RECEPTION NO. 799500. (NOT ABLE TO PLOT)
- ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE EAGLE RIVER WATER AND SANITATION DISTRICT, AS EVIDENCED BY INSTRUMENT RECORDED DECEMBER 31, 2009, UNDER RECEPTION NO. 200927997, SPECIAL DISTRICT PUBLIC DISCLOSURE DOCUMENT RECORDED DECEMBER 3, 2013 UNDER RECEPTION NO. 201323922 AND RECORDED DECEMBER 18, 2014 UNDER RECEPTION NO. 201421767 IN REGARDS THEREOF. (NOT ABLE TO PLOT)
- ANY AND ALL RIGHTS OF ANY DITCH COMPANY DITCH COMPANY RELATING TO ANY DITCHES, WHICH TRAVERSES SUBJECT PROPERTY OR IS DESCRIBED AS A BOUNDARY OF SUBJECT PROPERTY, INCLUDING BUT NOT LIMITED TO DITCH MAINTENANCE AND ACCESS RIGHTS TO LANDS ADJOINING THE DITCH OR CANAL, AS DISCLOSED BY MAP RECORDED FEBRUARY 27, 2017 UNDER RECEPTION NO. 201703240. (NOT ABLE TO PLOT)
- ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE UPPER EAGLE VALLEY SANITATION DISTRICT, AS EVIDENCED BY INSTRUMENTS RECORDED MARCH 28, 2017, UNDER RECEPTION NOS. 201705247 AND 201705251. (NOT ABLE TO PLOT)
- TERMS, CONDITIONS AND PROVISIONS CONTAINED IN ORDINANCE NO. 09-SERIES 2017 VACATING A PORTION OF EAGLE STREET RECORDED NOVEMBER 02, 2017 UNDER RECEPTION NO. 201720945. (NOT ABLE TO PLOT)
- TERMS, CONDITIONS AND PROVISIONS AS CONTAINED IN CORRESPONDENCE FROM COLORADO DEPARTMENT OF TRANSPORTATION REGARDING 106 MAIN STREET DATED JUNE 20, 2017 AND STORED IN OUR SYSTEM AS IMAGE 6163847. (NOT ABLE TO PLOT)
- TERMS, CONDITIONS AND PROVISIONS CONTAINED IN ORDINANCE NO. 5 - SERIES 2016 AMENDING TOWN OF MINTURN ZONING CODE AND STORED IN OUR SYSTEM AS IMAGE 6231738. (NOT ABLE TO PLOT)
- ANY FACTS, RIGHTS, INTERESTS OR CLAIMS WHICH MAY EXIST OR ARISE BY REASON OF THE FOLLOWING FACTS SHOWN ON ALTA/NSPS LAND TITLE SURVEY CERTIFIED JANUARY 25, 2017 PREPARED BY PEAK LAND CONSULTANTS, INC., JOB #2062 SAID DOCUMENT STORED AS OUR ESI 32392011
A. OVERHEAD UTILITY LINES CROSS PROPERTY WITHOUT BENEFIT OF EASEMENTS (AS SHOWN HEREON)
B. BUILDING ENCROACHES OVER NEIGHBOR'S PROPERTY (NO LONGER APPLIES)

SURVEYOR'S CERTIFICATE

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



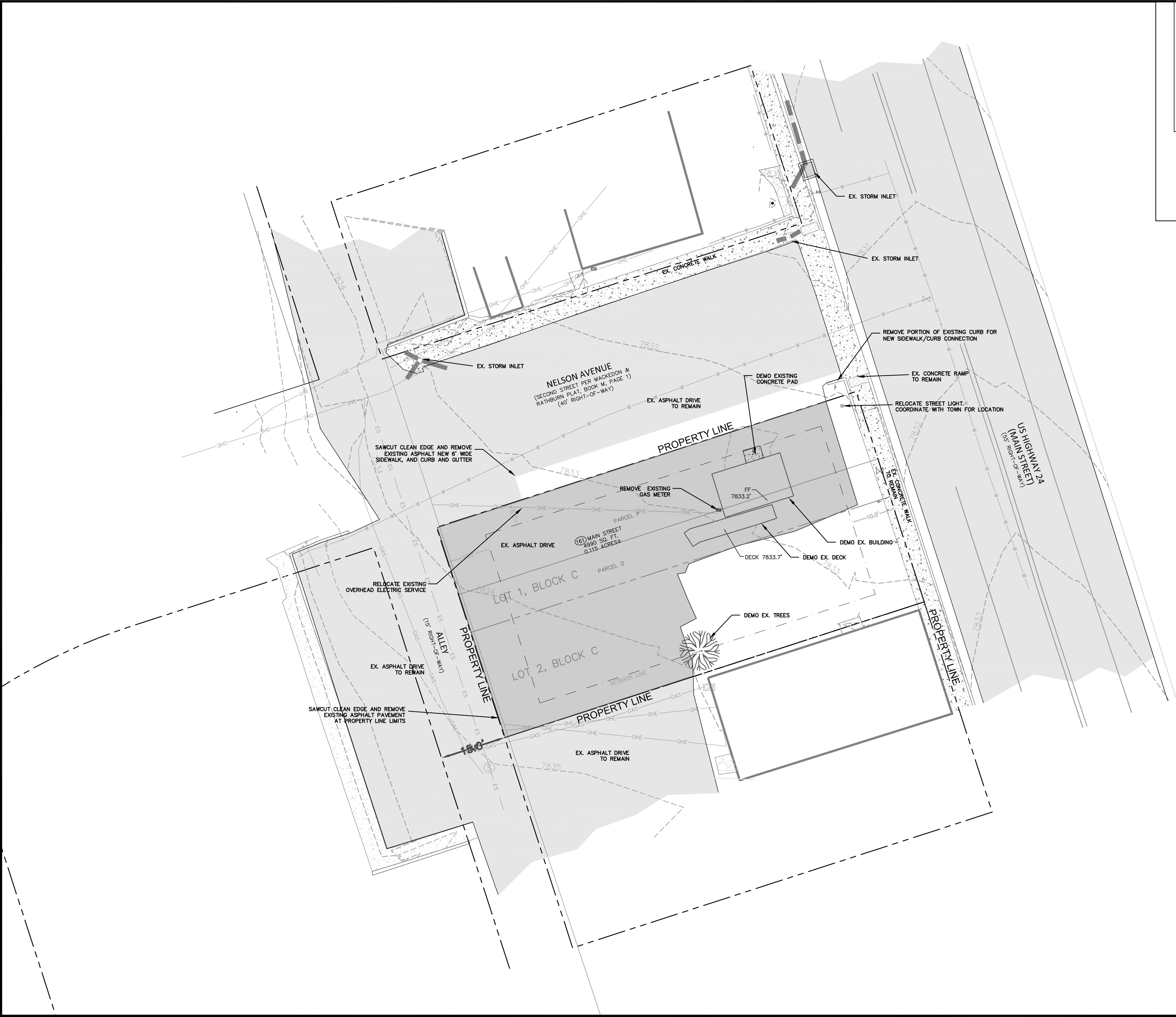
DATE: _____

BRENT BIGGS
COLORADO P.L.S. No. 27598
FOR & ON BEHALF OF PEAK
LAND CONSULTANTS, INC.

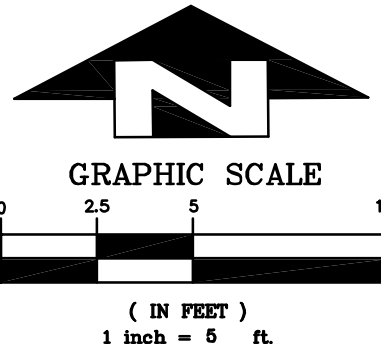
TOPOGRAPHIC MAP
LOTS 1 AND 2, BLOCK C
MAKEDON AND RATHBURN SUBDIVISION
TOWN OF MINTURN, EAGLE COUNTY, COLORADO

DRAWN: KPJ	REVIEWED: BB	SHEET 1 OF 1
DATE: 10/30/24	PLC JOB#: 2062.6	

O:\Minturn\161 Main St-2024\dwg\Master\Demo-161 Main.dwg, 11/20/2024 9:38:04 AM, wednesday



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



TOPOGRAPHIC INFORMATION
PROVIDED BY PEAK LAND
CONSULTING, 2024

EAGLE RIVER WHISKY
161 MAIN ST, MINTURN
DEMOLITION PLAN

DESIGNED	NO.	DATE	REVISIONS	BY
XXX				
DRAWN				
XXX				
CHECKED				
XXX				
JOB NO.				
XXX				
DATE				
XX/XX/XXXX				

SHEET
C1.0

ALPINE
ENGINEERING INC.
34510 HWY 6 UNIT A9 / PO BOX 97
EDWARDS CO 81632 / 970.926.3373
WWW.ALPINECIVIL.COM

(SEAL)

Section 10, Item C.

ALPINE

ENGINEERING INC.
334510 HWY 6 / UNIT A9 / PO BOX 97
EDWARDS CO 81632 / 970.926.3373
WWW.ALPINECIVIL.COM

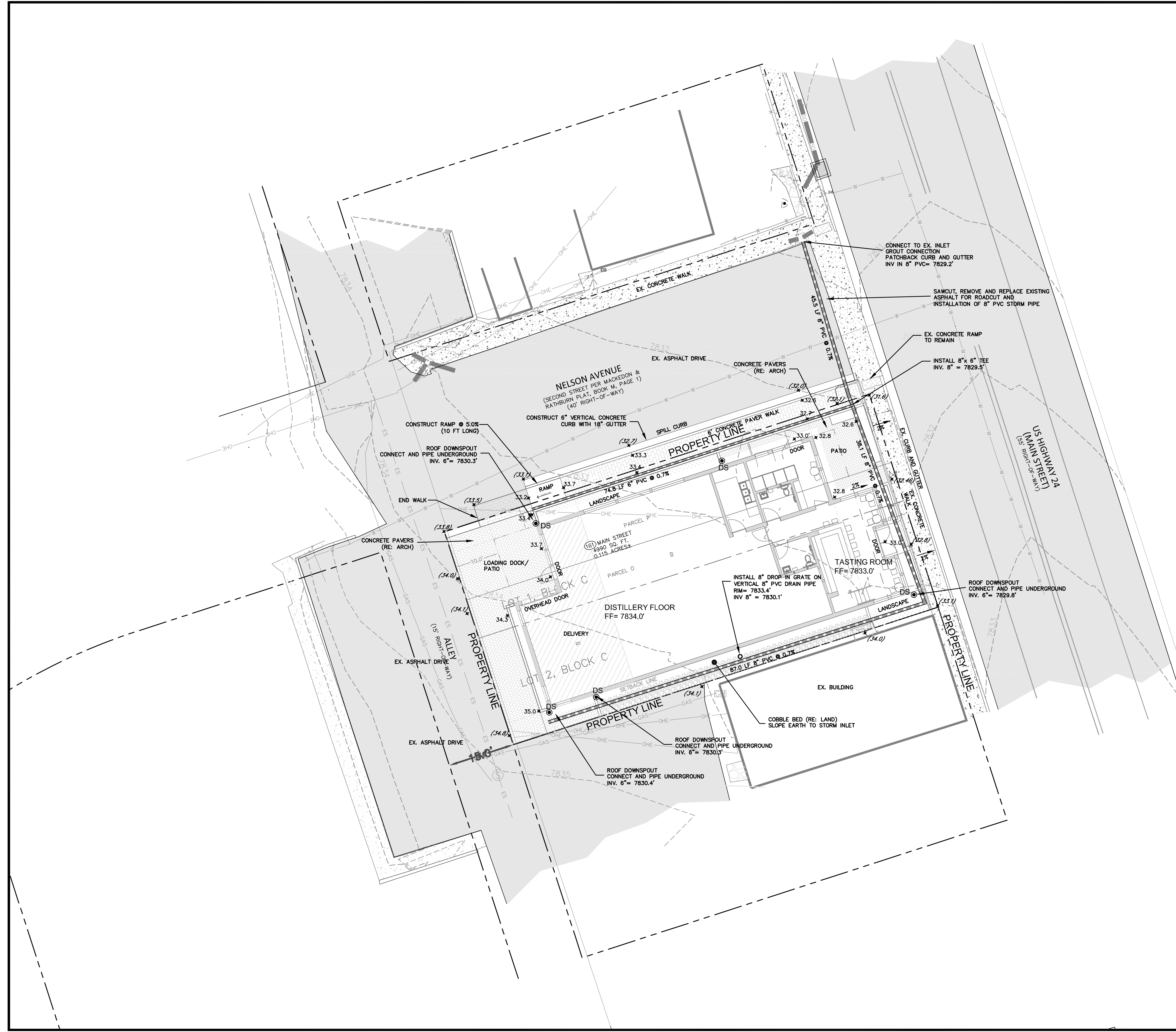
GENERAL NOTES FOR SEDIMENT CONTROL

1. INSTALL AND MAINTAIN SEDIMENT CONTROL MEASURES IN ACCORDANCE WITH THESE PLANS AND AS NEEDED TO PREVENT SEDIMENT FROM DISCHARGING OFF-SITE OR ENTERING THE RIVER.
2. ALL PROPOSED SEDIMENT CONTROL MEASURES ARE TEMPORARY MEASURES UNLESS SPECIFIED OTHERWISE ON PLANS.
3. SEDIMENT CONTROL MEASURES MAY REQUIRE FIELD ADJUSTMENTS AT THE TIME OF CONSTRUCTION TO INSURE THAT THEIR INTENDED PURPOSE IS ACCOMPLISHED.
4. INSTALL SEDIMENT CONTROL MEASURES AT THE ONSET OF GRADING OPERATIONS SO THAT EFFECTIVE SEDIMENT CONTROL CAN BE ACHIEVED DURING THE ENTIRE CONSTRUCTION PERIOD.
5. 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.
6. REMOVAL AND CLEANUP OF ANY SEDIMENT THAT LEAVES THE SITE IS THE RESPONSIBILITY OF THE CONTRACTOR
7. TOPSOIL AND REVEGETATE ALL DISTURBED AREAS
8. CONTRACTOR SHALL REMOVE SEDIMENT CONTROL FACILITIES AFTER FINAL STABILIZATION.

EAGLE RIVER WHISKY
161 MAIN ST., MINTURN
GRADING AND DRAINAGE PLAN

DESIGNED <u>XXX</u>	NO.	DATE	REVISIONS	BY
DRAWN <u>XXX</u>				
CHECKED <u>XXX</u>				
JOB NO. <u>XXX</u>				
DATE <u>XX/XX/XXXX</u>				

SHEET
C2.0



GENERAL SITE NOTES:

1. ALL STRUCTURES AND SITE IMPROVEMENTS ARE NEW, EXCEPT WATER METER.
2. SITE PLAN SHOWS EXTENT OF ROOF INCLUDING EAVES, SEE SHEET A101 FOR ADDITIONAL STRUCTURE DIMENSIONS (OMITTED HERE FOR CLARITY).
3. GROUND SURFACE TREATMENTS BEYOND PROPERTY LINES ARE A SUGGESTION OF WHAT COULD BE DONE IN STREET ROW TO HELP CREATE A WOONERF STREETSCAPE.

GRADING NOTES:

1. REFER TO SITE DEMOLITION PLAN & GRADING AND DRAINAGE PLAN SHEETS C1.0 & C2.0
2. ALL LEFT OVER GRADING MATERIAL NOT UTILIZED AS FILL OR LANDSCAPING MOUNDS APPROVED BY OWNER SHALL BE REMOVED FROM THE SITE. EROSION CONTROL MANAGED PER SITE DRAINAGE INDICATED ON SHEET C2.0.
3. ALL TRENCHES TO BE COVERED WITH A WALKABLE SURFACE AT NIGHT.
4. **DO NOT PLACE ANY CONCRETE IN FREEZING WEATHER UNLESS FOLLOWING ALL ACI RECOMMENDATIONS AND REQUIREMENTS FOR COLD WEATHER CONCRETING - SSD & REFER TO A100 FOR ADDITIONAL NOTES.**

EXTERIOR LIGHTING NOTES:

1. ALL NEW EXTERIOR LIGHTS SHALL BE A FULL CUT OFF FIXTURE AND HAVE A DARK SKY ORDINANCE COMPLIANT LOW CUTOFF ANGLE SO THAT LIGHT IS NOT CAST UP OR OVER PROPERTY LINES & UTILIZING THE MINIMUM LIGHTING INTENSITY NECESSARY.
2. LIGHTS SHALL BE MAXIMUM 15' AFG.
3. ALL LIGHTING SHALL BE HIGH EFFICIENCY LED AND RATED FOR WET LOCATIONS.
4. REFER TO LIGHTING PLANS ON SHEETS AX.XX THRU AX.XX.

LANDSCAPE NOTES:

1. LANDSCAPING IS LIMITED TO PLANTING BEDS (269 SF TOTAL). NOTED ON THE PLAN AS LP-A THRU LP-D WITH PLANTINGS AS DESIGNATED BELOW WHICH ARE ALL IDENTIFIED BY USDA AS APPROPRIATE FOR PLANT HARDINESS ZONE 4b:

LP-A: DROUGHT TOLERANT NATIVE FLOWERING HERBACEOUS PERENNIALS: COLUMBINE, LUPINE, PENSTEMON, AND FLAX- MIN (3) FLATS PER PLANTER IN (2) PLANTERS.
LP-B: DROUGHT TOLERANT HOLLYHOCKS, VARIOUS COLORS. ESTABLISHED FROM LIBERAL SEED SPREAD IN FALL.
LP-C: DROUGHT TOLERANT HOLLYHOCKS, VARIOUS COLORS. ESTABLISHED FROM LIBERAL SEED SPREAD IN FALL.
LP-D: DROUGHT TOLERANT NATIVE SHRUBS PER TOWN OF MINTURN PRE-APPROVED LIST- MIN (7) 5 GALLON SHRUBS.

(IF NATIVE DROUGHT TOLERANT TREES ARE INCLUDED THEY MUST BE A MINIMUM 1.5" CALIPER @ 4' ABOVE GROUND).

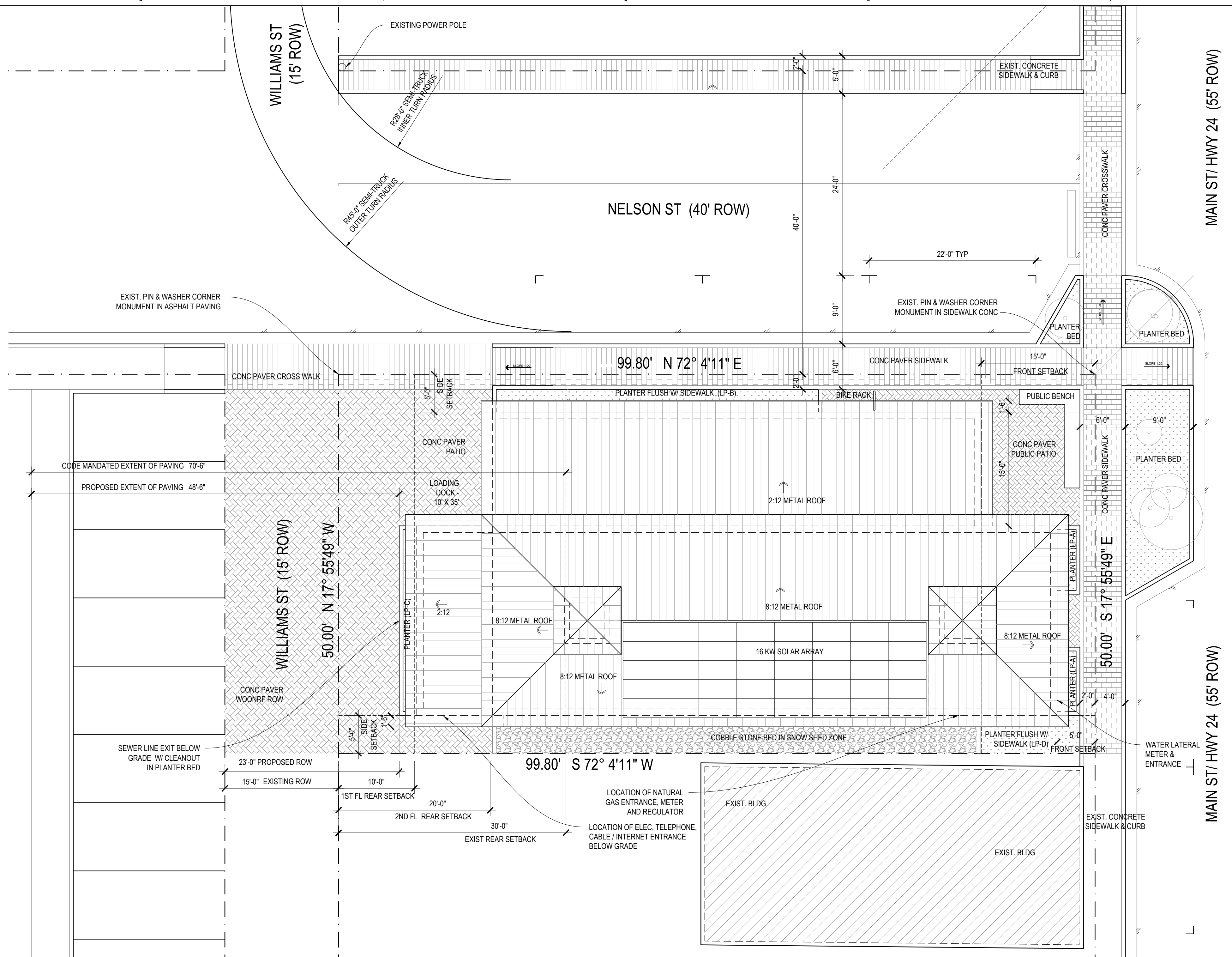
2. PROVIDE DRIP IRRIGATION SYSTEM INCLUDING A MOISTURE SENSOR WITH SEPARATE ZONES FOR EACH PLANTING BED ON A TIMER MOUNTED INSIDE THE BUILDING. MAINTAIN ADEQUATE WATERING FOR MINIMUM 2 YEARS TO ESTABLISH PLANTINGS.
3. NO TURF PLANTINGS PERMITTED.
4. AMEND PLANTING BEDS WITH MINIMUM 6" DEPTH OF SANDY LOAM W/ MIN 5% ORGANIC MATTER BY VOLUME.
5. AFTER PLANTING, PROVIDE 2" DEPTH OF MULCH WITH MODIFICATIONS AS APPROPRIATE FOR EACH PLANT MATERIAL. RENEW AS NEEDED.
6. HARDSCAPE FROM BUILDING TO PROPERTY LINE SHALL BE 4" THICK 5000psi CONCRETE OR GRANITE PAVERS ON 1" SAND BED OVER MINIMUM 6" ROAD BASE IN 3" LIFTS COMPACTED TO 95% OVER NATIVE SOILS (OR REPLACED W/ ADDITIONAL ROAD BASE MATERIAL IN 4" LIFTS COMPACTED TO 95% WHERE OVER EXCAVATED).
7. PROVIDE 6" MINUS COBBLES OVER GEOTEXTILE WEED BLOCK FABRIC ALONG SOUTHERN PROPERTY LINE IN SNOW SHED ZONE FROM SOLAR PANELS LAID OVER COMPACTED EARTH SLOPED TO STORM INLET NOTED ON GRADING AND DRAINAGE SHEET C2.0.

SNOW STORAGE:

PROVIDED IN PLANTING BEDS (269 SF TOTAL). SEE AREA NOTES ON SHEET A101. ADDITIONAL SNOW STORAGE AVAILABLE ALONG SOUTH SIDE OF BUILDING AND AT NORTH EAST PUBLIC PATIO IF NEEDED.

UTILITY NOTES:

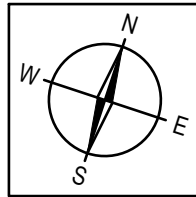
1. NEW ELECTRIC, TELEPHONE & CABLE / INTERNET CONNECTIONS VIA SEPARATE UNDERGROUND 2" DIA SCH 80 DUCTS FROM A UTILITY POLE LOCATED ALONG WILLIAMS STREET - MIN 36" BELOW FINISH GRADE.
2. NEW SEPTIC WASTE LINE SLOPING MIN 2% TO EXISTING SEWER IN WILLIAMS STREET ROW VIA 6" DIA ABS OR PVC LINE MIN 4" BELOW FINISH GRADE. PROVIDE CLEANOUTS AT MIN 50' INTERVALS.
3. NEW NATURAL GAS LINE FROM MAIN IN WILLIAMS STREET VIA 1" HDPE PIPE W/ TRACER WIRE MIN 3" BELOW FINISH GRADE.
4. WATER SUPPLY FROM EXISTING METER NEAR STREET WILL REMAIN UNLESS LATERAL OR MAIN WATER SHUT-OFF VALVE IS FOUND TO BE DEFICIENT OR IT NEEDS TO BE RELOCATED FOR CONSTRUCTION PURPOSES.
5. ALL UTILITY LINES TO BE TERMINATED INSIDE BUILDING FOOTPRINT, EXCEPT GAS LINE WITH METER & PRESSURE REGULATOR LOCATED ON SOUTH SIDE OF BUILDING AT EASTERN CORNER.



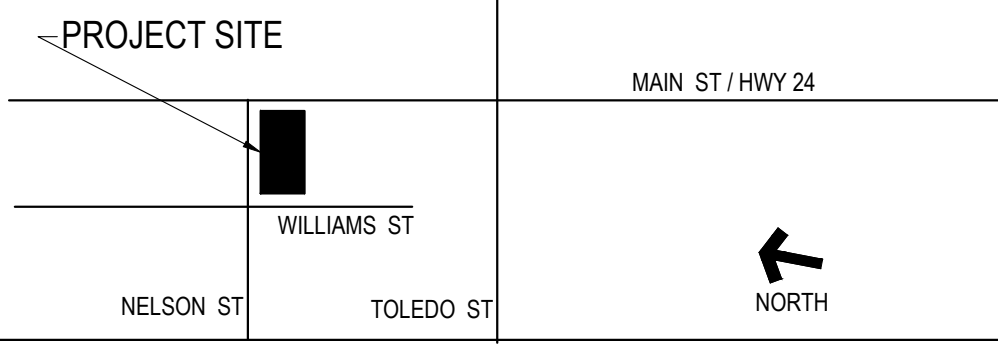
E3

SITE - PLOT- ROOF PLAN

L100



LOT SIZE: 4990 SF
BUILDING COVERAGE : 3092 SF (62%)
IMPERVIOUS SURFACE : 4401 SF (88.2%)
SNOW STORAGE : 269 SF (5.4%)
TOTAL FLOOR AREA : 3597 SF (505SF @ 2ND FL)



F5

VICINITY PLAN - MINTURN, CO

L100

NO SCALE

GROUND SURFACE TREATMENTS BEYOND PROPERTY LINES ARE A SUGGESTION OF WHAT COULD BE DONE TO HELP CREATE A WOONERF STREET SCAPE

SITE PLAN IS BASED ON PEAK LAND SURVEYING, INC. SURVEY DATED 10/30/2024 JOB # 2062.6

GENERAL NOTES:

1. DO NOT SCALE FROM DRAWINGS. REFER TO WRITTEN DIMS AND BRING OMITTED DIMS TO ARCHITECT'S ATTN.
2. REFER TO STRUCTURAL SHEETS FOR STRUCTURAL MATERIALS, NOTES, SPECIFICATIONS AND DETAILS.
3. ALL DIMENSIONS ARE TO FO FRAMING, ROUGH OPENING, FO CONC WALL OR T.O. CONC SLAB OR SUB FL. UNO.
4. REFER TO C100 FOR INSULATION SPECS, OTHER GENERAL NOTES, DRAWING INDEX, AND ABBREVIATIONS.
5. REFER TO L100 FOR SITE, UTILITY & LANDSCAPE PLAN NOTES & SPECS.
6. REFER TO ARCHITECTURAL PLAN SHEETS (A10X) FOR WALL & RO DIMS, HEAD & SILL HEIGHTS, AND FINISH SPECS INCLUDING WINDOW AND DOOR SCHEDULES, MECHANICAL PLUMBING AND ELEC. SPECS.
7. REFER TO ROOF PLAN (A10X) FOR ROOF MATERIALS, SPECIFICATIONS, AND NOTES.
8. **SILL DIMENSIONS ARE FROM T.O. SLAB OR T.O. SUBFLOOR TO SILL RO. HEAD RO DIMS ARE FROM SILL RO.**
9. REFER TO ELEVATION SHEETS (A20X) FOR EXTERIOR FINISHES, NOTES AND SPECS.
10. REFER TO SHEETS A301 FOR WALL & BUILDING SECTION DETAILS, MATERIALS, AND CONFIGURATION.

RDC ARCHITECTURE

ROBERT D CREASY ARCHITECTURE
PO BOX 819 - 105 WILLIAMS STREET
MINTURN, CO 81645-0819
MB: 760.937.2600 (Robert)
robert@rdcarch.com

STRUCTURAL ENGINEER

SURVEYOR
PEAK LAND SURVEYING, INC.
1000 Lion's Ridge Loop
Vail, CO 81657
970.476.8644

GEO/SOILS ENGINEER - SPECIAL INSPECTION SERVICES
Not Applicable

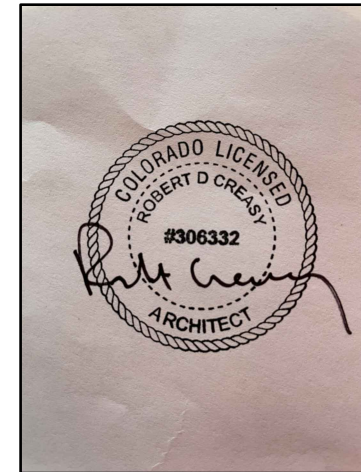
GENERAL CONTRACTOR

MINTURN WHISKY COMPANY

PARCELS # 2103-263-002 & 003
161 MAIN ST / 161 NELSON
MINTURN, CO 81645

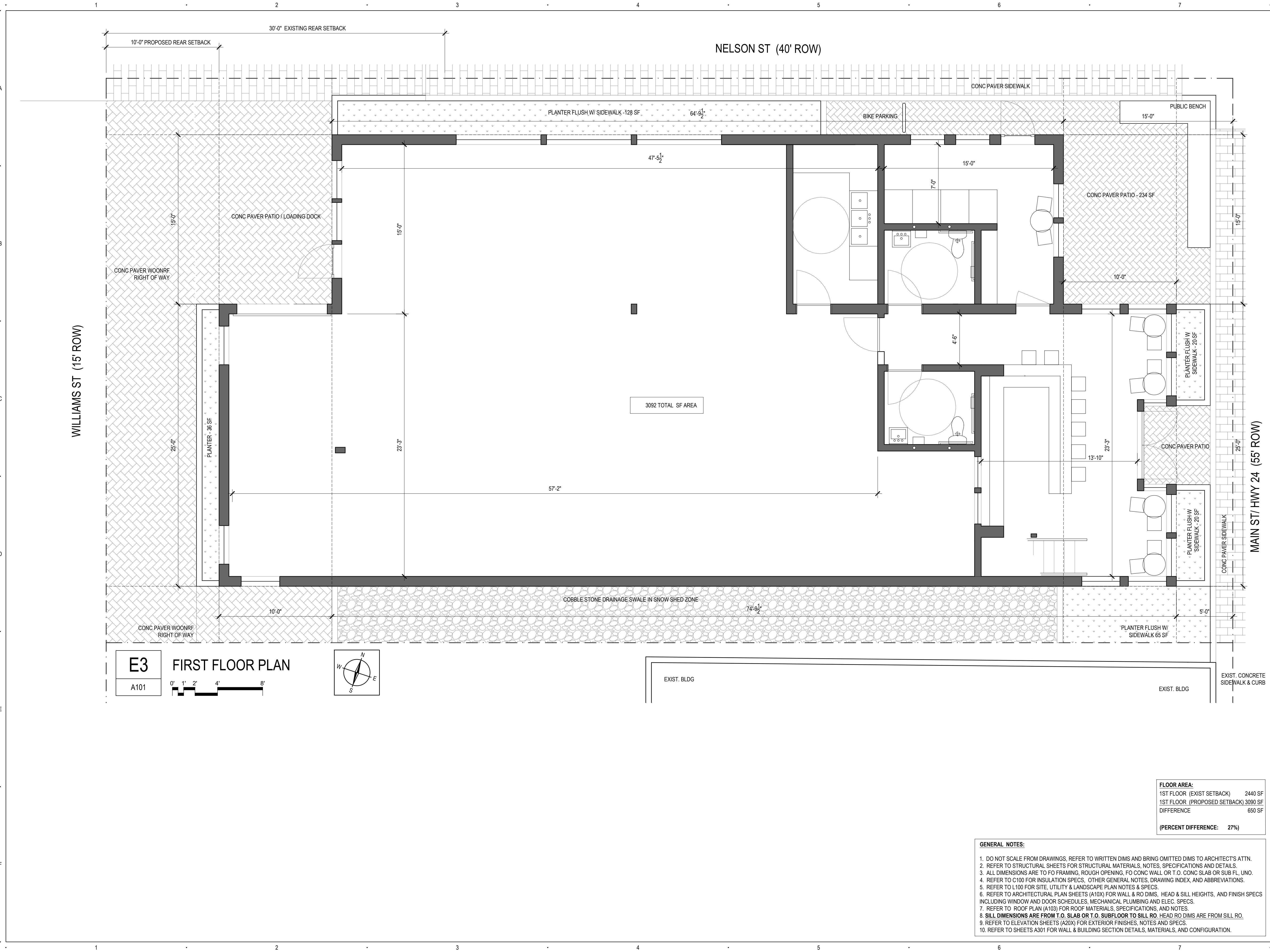
OWNER:
STEFANIE & SPENCE NEUBAUER

stef@erwhisky.com & spence@erwhisky.com
MB: 603.770.8756



DRB & CUP Submittal December 10, 2024
DATE: NOT FOR CONSTRUCTION
PROJECT #: 2410

SITE & ROOF PLAN
LANDSCAPE PLAN & NOTES
VICINITY PLAN
L101



FLOOR AREA:	
1ST FLOOR (EXIST SETBACK)	2440 SF
1ST FLOOR (PROPOSED SETBACK)	3090 SF
DIFFERENCE	650 SF
(PERCENT DIFFERENCE:	27%)

- GENERAL NOTES:**
- DO NOT SCALE FROM DRAWINGS. REFER TO WRITTEN DIMS AND BRING OMITTED DIMS TO ARCHITECT'S ATTN.
 - REFER TO STRUCTURAL SHEETS FOR STRUCTURAL MATERIALS, NOTES, SPECIFICATIONS AND DETAILS.
 - ALL DIMENSIONS ARE TO FO FRAMING, ROUGH OPENING, FO CONC WALL OR T.O. CONC SLAB OR SUB FL. UNO.
 - REFER TO C100 FOR INSULATION SPECS, OTHER GENERAL NOTES, DRAWING INDEX, AND ABBREVIATIONS.
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 - REFER TO ROOF PLAN (A103) FOR ROOF MATERIALS, SPECIFICATIONS, AND NOTES.
 - SILL DIMENSIONS ARE FROM T.O. SLAB OR T.O. SUBFL OR TO SILL RO. HEAD RO DIMS ARE FROM SILL RO.**
 - REFER TO ELEVATION SHEETS (A20X) FOR EXTERIOR FINISHES, NOTES AND SPECS.
 - REFER TO SHEETS A301 FOR WALL & BUILDING SECTION DETAILS, MATERIALS, AND CONFIGURATION.



ROBERT D CREASY ARCHITECTURE
PO BOX 819 - 105 WILLIAMS STREET
MINTURN, CO 81645-0819
MB: 760.937.2600 (Robert)
robert@rdcarch.com

STRUCTURAL ENGINEER

SURVEYOR
PEAK LAND SURVEYING, INC.
1000 Lion's Ridge Loop
Vail, CO 81657
970.476.8644

GEO/SOILS ENGINEER - SPECIAL INSPECTION SERVICES
Not Applicable

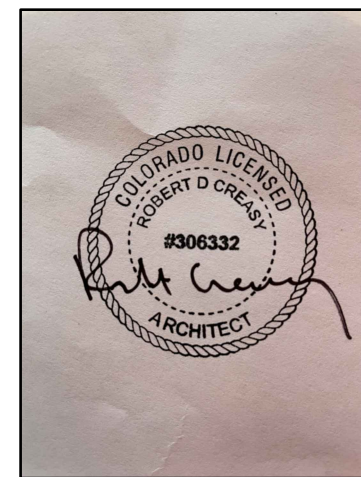
GENERAL CONTRACTOR

MINTURN WHISKY COMPANY

PARCELS # 2103-263-002 & 003
161 MAIN ST / 161 NELSON
MINTURN, CO 81645

OWNER:
STEFANIE & SPENCE NEUBAUER

stef@erwhisky.com & spence@erwhisky.com
MB: 603.770.8756



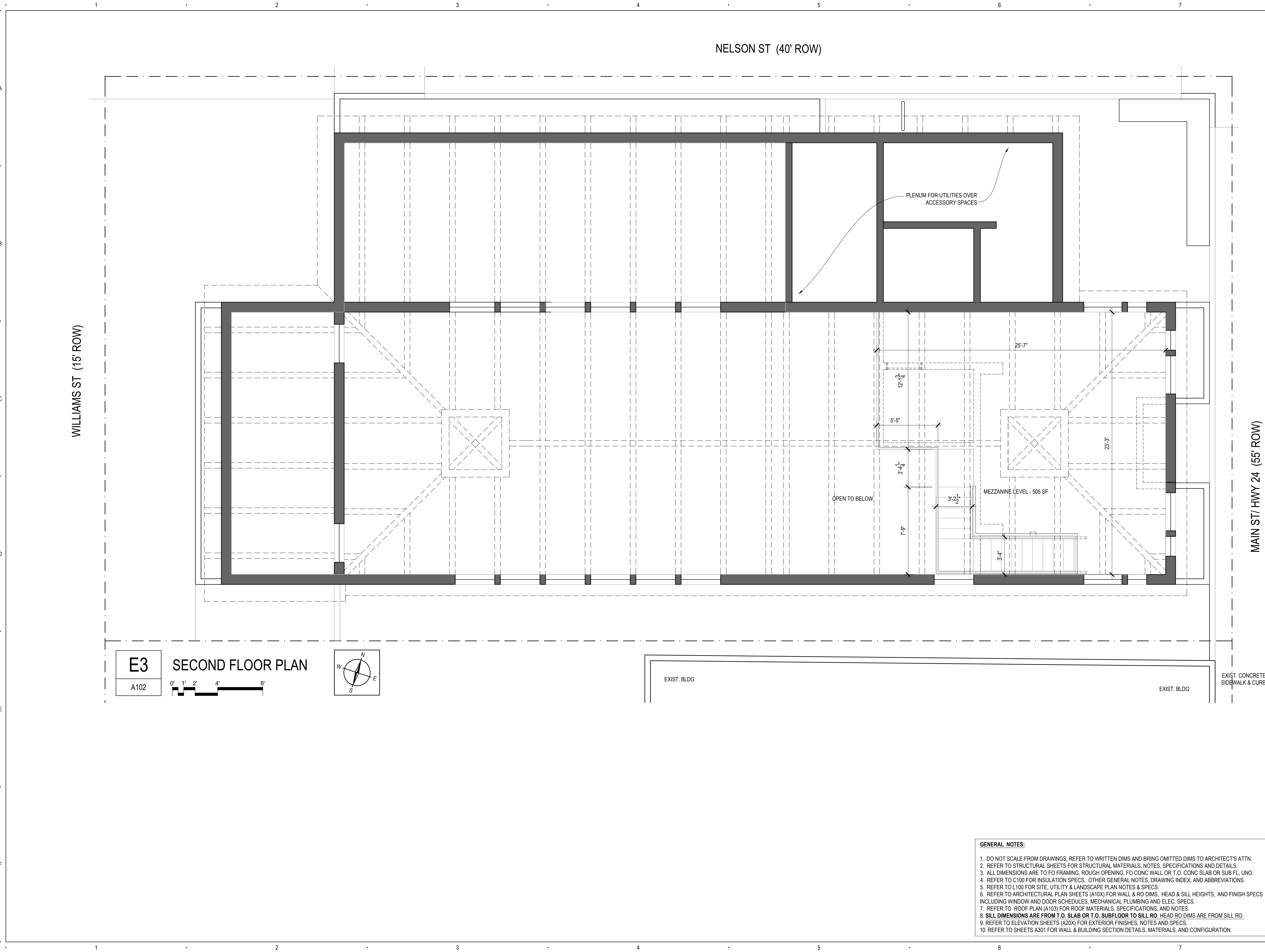
DRB & CUP Submittal December 10, 2024

DATE: NOT FOR CONSTRUCTION

PROJECT #: 2410

FIRST FLOOR PLAN NOTES & SPECIFICATIONS

A101



RDC ARCHITECTURE

ROBERT D CREASY ARCHITECTURE
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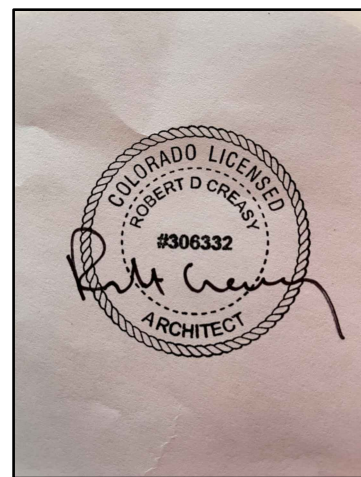
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MB: 603.770.8756



DRB & CUP Submittal December 10, 2024
DATE: NOT FOR CONSTRUCTION
PROJECT #: 2410

SECOND FLOOR PLAN NOTES & SPECIFICATIONS

A102

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Not Applicable

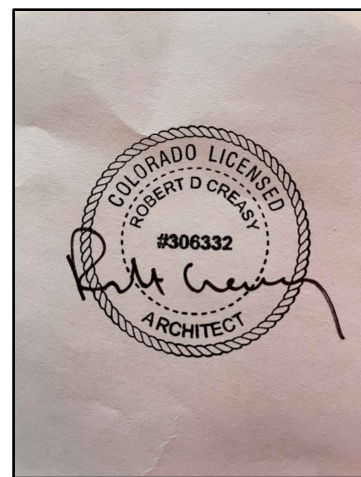
GENERAL CONTRACTOR

MINTURN WHISKY COMPANY

PARCELS # 2103-263-002 & 003
161 MAIN ST / 161 NELSON
MINTURN, CO 81645

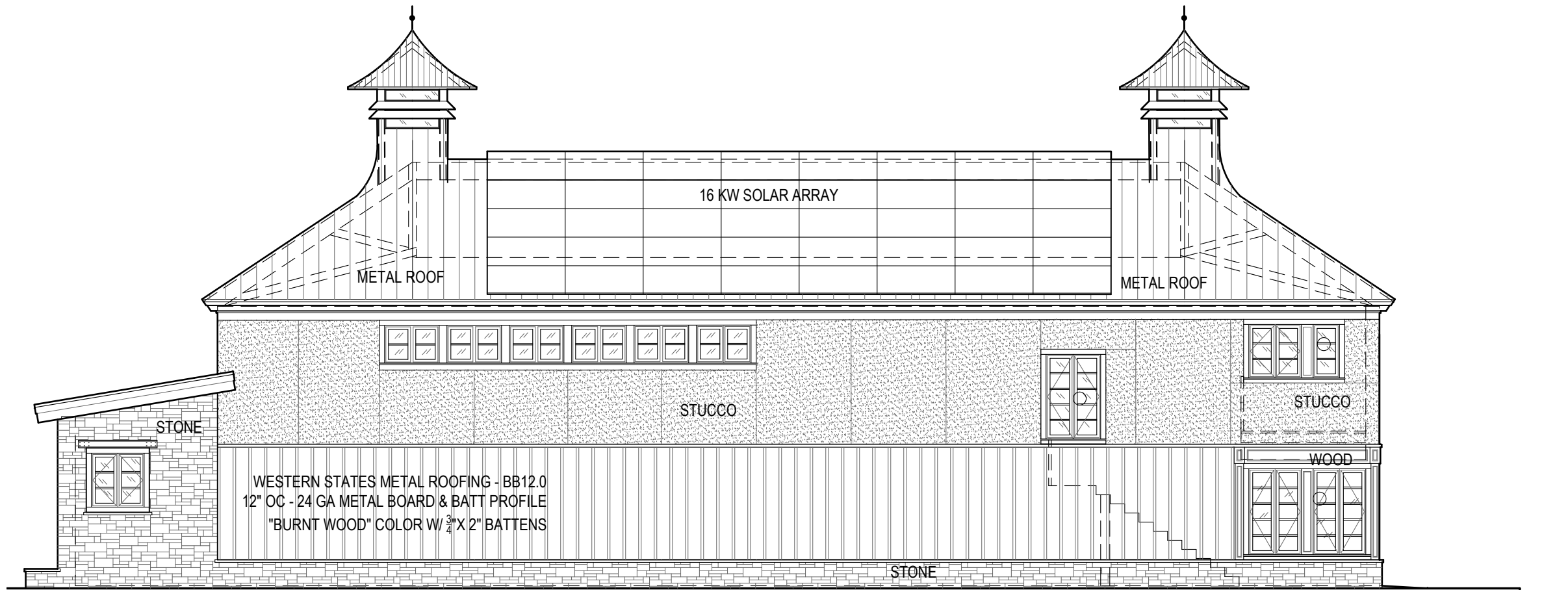
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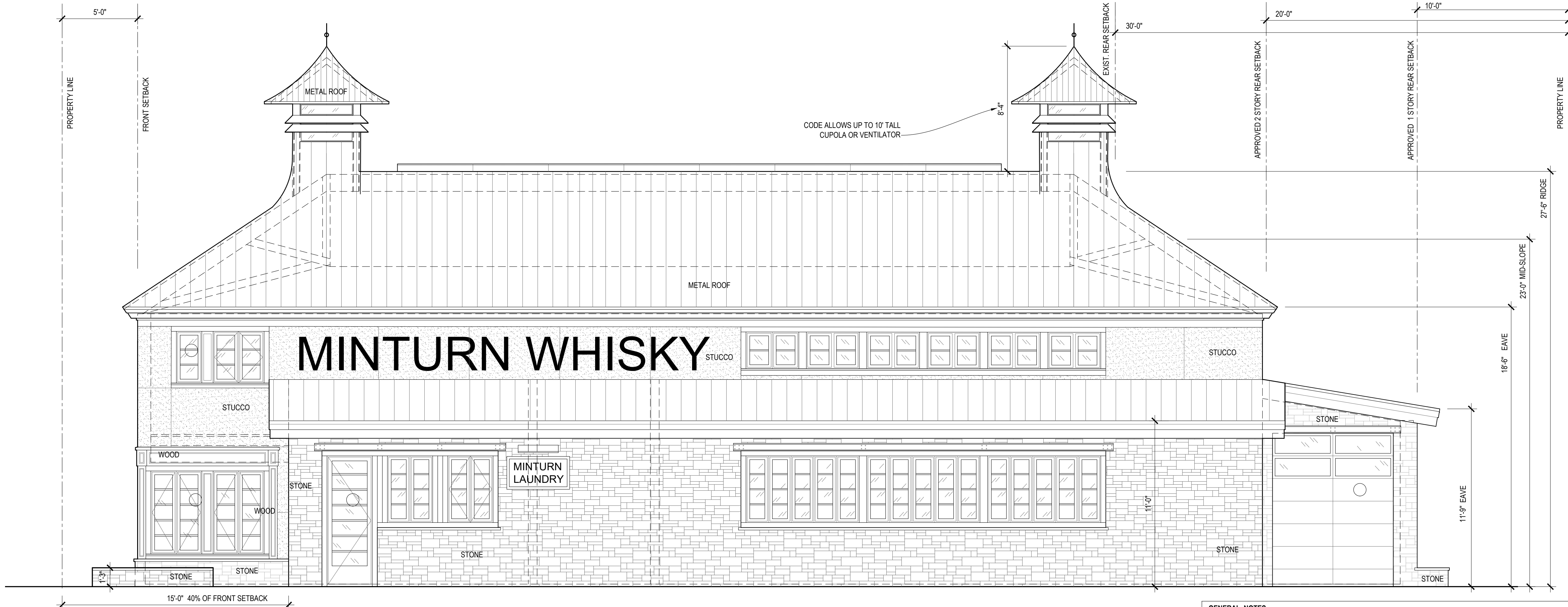
DRB & CUP Submittal December 10, 2024
DATE: NOT FOR CONSTRUCTION
PROJECT #: 2410

SOUTH ELEVATION
NORTH ELEV - NELSON ST
NOTES & SPECIFICATONS
A201



B4 SOUTH ELEVATION

A201 0' 2' 4' 8' 16'



F2 NORTH ELEVATION

A201 0' 1' 2' 4' 8'

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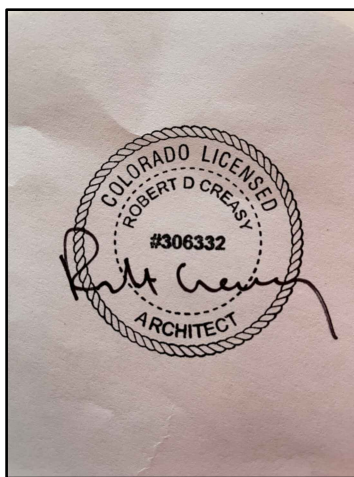
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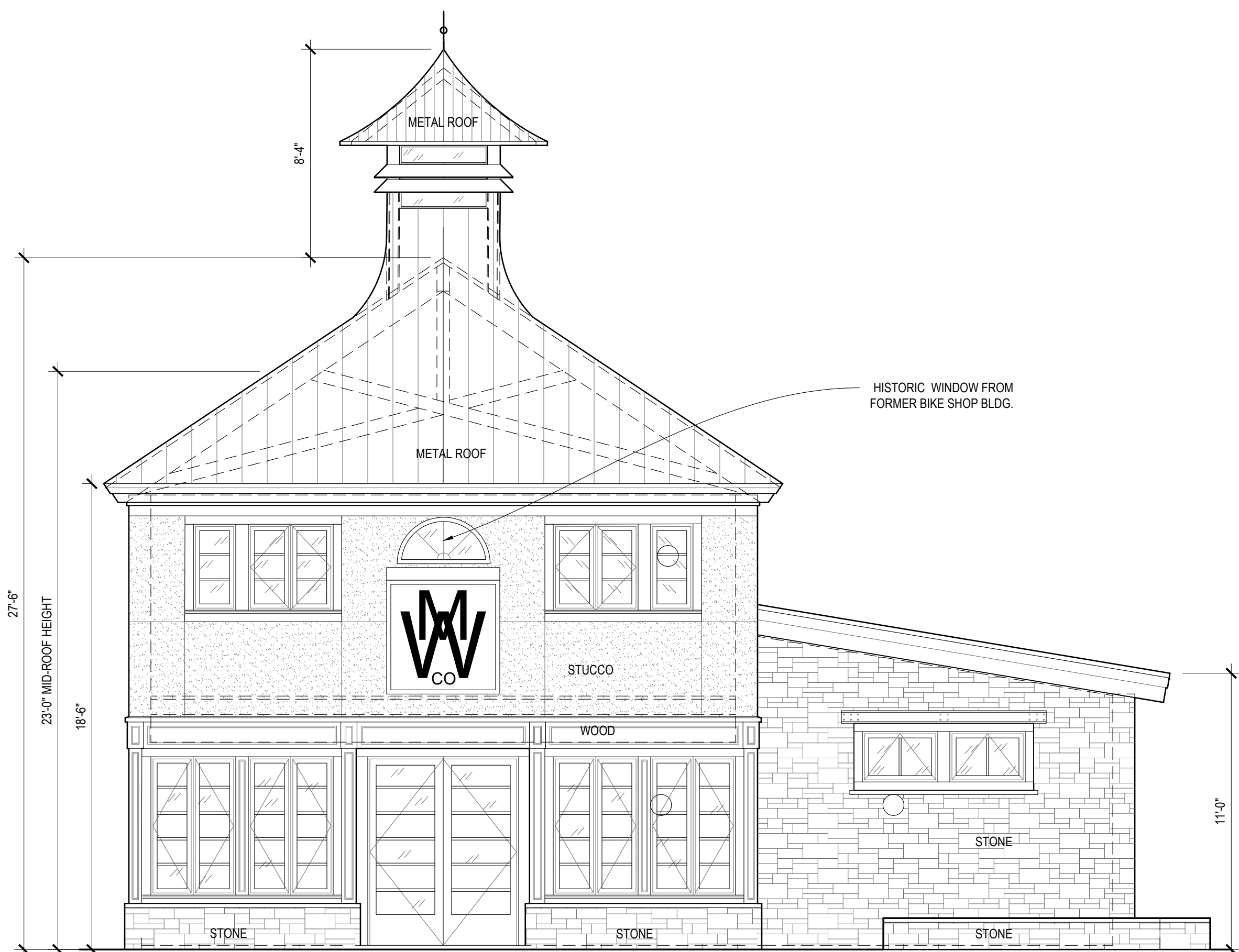
DRB & CUP Submittal December 10, 2024
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PROJECT #: 2410

EAST ELEV - MAIN ST
WEST ELEV - WILLIAMS ST
NOTES & SPECIFICATONS
A202



F1 WEST ELEVATION - WILLIAMS STREET

A202 0' 1' 2' 4' 8'



F5 EAST ELEVATION - MAIN STREET

A202 0' 1' 2' 4' 8'

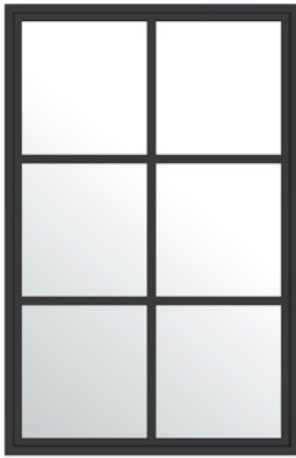
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Architecture Detail

Section 10, Item C.

Windows: Black



Doors: Black



Roof: Black standing seam metal



Tasting Room Siding:
Black wood with gold trim.
Similar to The Wee Dram



Distillery siding: stone facade

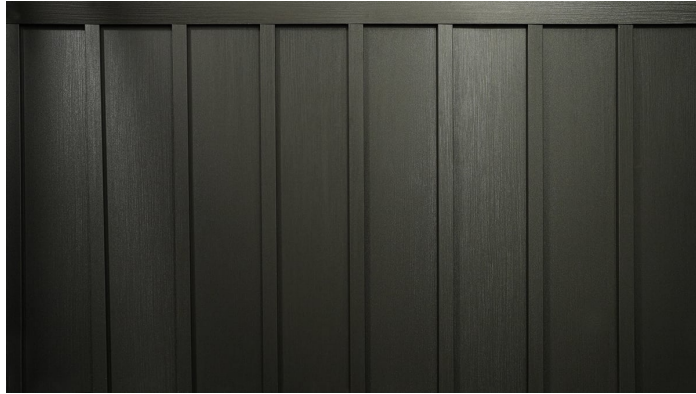


Second story siding: white stucco



Architecture Detail Cont'd

South Elevation Siding, First Story:
Western States Metal Roofing - Metal
Board and Batten or similar:



**TOWN OF MINTURN, COLORADO
RESOLUTION NO. 06 – SERIES 2025**

**A RESOLUTION APPROVING A CONDITIONAL USE APPLICATION FOR A NEW
DISTILLERY AT 161 MAIN STREET AND 161 NELSON AVENUE, TOWN OF
MINUTURN, COLORADO**

WHEREAS, on or about December 10, 2024, Stefanie and Spence Neubauer, (hereinafter, the “Applicant”) submitted and the Town accepted a Conditional Use Permit application (hereinafter the “CUP”) for a light manufacturing use to allow for a distillery located at 161 Main Street and 161 Nelson Avenue within the Old Town Character Area 100 Block A Zone District, for review and approval by the Town pursuant to Sec. 16-21-620, Conditional Use, Minturn Municipal Code (hereinafter the “Code”); and

WHEREAS, the Town of Minturn Planning Commission (hereinafter the “Commission”) is commissioned with certain powers and duties contained in the Code Sec. 16-21-40(f)(7) “To hear, review, consider and make recommendations to the Town Council to approve, approve with conditions or disapprove conditional use permits”; and

WHEREAS, the Minturn Town Council (hereinafter the “Council”) is commissioned with certain powers and duties contained in the Code Sec. 16-21-30(a)(4) “To hear, review, consider and approve, approve with conditions or disapprove applications for conditional use permits”; and

WHEREAS, public notice for the Commission’s regular meeting of January 8, 2025 and the Council’s regular meeting of February 5, 2025 was given pursuant to the Code Sec. 16-21-610; and

WHEREAS, on January 8, 2025, the Commission held a public hearing to consider and review the CUP and forwarded a recommendation that the Council approve the CUP with conditions, finding that the CUP complied with the necessary findings and criteria of the Code Sec. 16-21-620(d)(2), Criteria; findings; and

WHEREAS, on February 5, 2025, the Council held a public hearing to consider and review the CUP; and

WHEREAS, pursuant to the Code Sec. 16-21-620(2) Criteria; findings, and Sec. 16-21-620(e)(1), the Council may approve the CUP as submitted or may approve the CUP subject to such modifications or conditions as it deems necessary to accomplish the purpose of this Article, or the Town Council may deny the CUP based upon the following:

- 1) Criteria; findings. Before acting on a conditional use permit application, the Planning Commission and Town Council shall consider the following factors with respect to the proposed use:
 - a. The relationship and impact of the use on the community development objectives of the Town;

- b. The effect of the use on distribution of population, transportation, utilities, schools, parks and recreational facilities and other public facilities and public facility needs;
- c. The effect upon traffic, with particular reference to congestion, automotive and pedestrian safety, traffic flow and control, access, maneuverability and snow removal.
- d. The effect upon the character of the area in which the proposed use is to be located, including the scale and bulk of the proposed use in relation to surrounding uses, the amount of noise, lighting and glare, dust and compatibility of the use with the Character Area it is in and surrounding areas.
- e. Necessary findings. The Planning Commission and Town Council shall make the following findings before making a recommendation or decision that a conditional use permit be granted:
 - 1. That the proposed location of the use is in accordance with the purposes of this Chapter, the Community Plan and the purposes of the zone in which the site is located.
 - 2. That the proposed location of the use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.
 - 3. That the proposed use will comply with each of the applicable provisions of this Chapter.

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

THAT, the CUP, as conditioned, meets the standards, criteria and findings pursuant to the Code Sec. 16-21-620(2) Criteria; findings, and Sec. 16-21-620(e)(1); and

THAT, the CUP be approved subject to the following conditions:

- 1. The Amended Final Plat combining the two lots shall be completed prior to building permit issuance.
- 2. Signage is encouraged to not allow parking in the loading dock and directing people to park in the Municipal lot.
- 3. That the testimony given in regards to the loading dock remaining a loading dock is binding.

INTRODUCED, READ, APPROVED, ADOPTED AND RESOLVED this 5th day of February 2025.

TOWN OF MINTURN

By: _____
Earle Bidez, Mayor

ATTEST:

Jay Brunvand, Town Clerk



To: Town Council
From: Madison Harris
Date: January 31, 2025
Agenda Item: Ordinance 03 - Series 2025 (First Reading) An Ordinance Amending Section 6-7-40 of the Minturn Municipal Code to require occupancy of a property as a primary residence prior to approval of a short-term rental license.

REQUEST:

Council to approve on first reading Ordinance 03 - Series 2025 An Ordinance Amending Section 6-7-40 of the Minturn Municipal Code to require occupancy of a property as a primary residence prior to approval of a short-term rental license.

INTRODUCTION:

At the June 19, 2024 Council meeting, there was a discussion spurred by input received on the Community Survey in regards to Short Term Rentals and recommendations from Council members. Due to the breadth of that discussion, it was recommended that there be a separate discussion regarding 2-year residency requirements.

That discussion was had at the January 15, 2025 Council meeting.

ANALYSIS:

Since the introduction in 2017 of Minturn's Short Term Rental policy, little has changed. It has been observed that in the last couple of years, there have been a couple of instances where property owners will use the current 2-year ownership requirement as the time to go through the Design Review and Building Permit process, and, once they've received their Certificate of Occupancy, the two years have passed and the property immediately becomes a Short Term Rental.

At the January 15, 2025 Council meeting direction was given to draft an ordinance addressing two paths for short term rentals. 1. If the whole property is to be given a STR License then it must have functioned as a primary residence for the initial two year ownership, and 2. if only a portion of the property is to operate a STR License then as long as the rest of it functions as a primary residence then the two year ownership requirement is waived.

COMMUNITY INPUT:

In the Community Survey completed in April 2024 and presented to Council, many residents expressed worries about the impacts of short term rentals on the availability of locals housing. There were some suggestions for further tightening regulations on STRs and some residents felt the need for stronger enforcement.

BUDGET / STAFF IMPACT: TBD

STRATEGIC PLAN ALIGNMENT:

The comprehensive review of the Town's Short Term Rental regulations and processes aligns with the following key values:

- Transparency
- Collaboration
- Resourcefulness

Within the Council's priorities in the 2025-2027 Strategic Plan, under Affordability: Update STR regulations to require 2-year owner/local occupancy from time of C-O, not purchase date.

ORDINANCE 03 – SERIES 2025

AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO, AMENDING SECTIONS 6-7-20 AND 6-7-40 OF THE MINTURN MUNICIPAL CODE ESTABLISHING OWNERSHIP AND OCCUPANCY REQUIREMENTS FOR APPROVAL OF A SHORT-TERM RENTAL LICENSE.

WHEREAS, the Town of Minturn, in the County of Eagle and State of Colorado (the "Town"), is a home rule municipal corporation duly organized and existing under laws of the State of Colorado and the Town Charter (the "Charter"); and

WHEREAS, the members of the Town Council of the Town (the "Council") have been duly elected and qualified; and

WHEREAS, Section 6-7-20 of the Minturn Municipal Code (the "MMC") sets forth the definitions for Chapter 6, Article 7 – Short-Term Rentals; and

WHEREAS, Subsection (d) of Section 6-7-40 of the Code requires that the owner of a short-term rental (STR) own the property for at least two years before filing a STR permit; and

WHEREAS, Town Staff has found that some property owners that have owned land for two years or more have obtained a STR permit after receiving a Certificate of Occupancy for the property without having lived on or rented the property as a long-term residential unit; and

WHEREAS, the Town wishes to preserve the availability of long-term housing in the Town; and

WHEREAS, the Council wishes to amend the language of the two-year ownership requirement to reflect the purposes of the STR regulations in the MMC by preserving the housing stock within the Town; and

WHEREAS, the Council finds and declares that the amendments of Sections 6-7-20 and 6-7-40 of the MMC set forth in **Exhibit A** and incorporated herein by this reference, to establish ownership and occupancy requirements for properties to be eligible for STR licenses, are in the best interests of the Town.

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

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

Section 2. Amendment of Sections 6-7-20 and 6-7-40. Sections 6-7-20 and 6-7-40 of the MMC are amended as shown in **Exhibit A**.

Section 3. Effective Date. Upon passage of this Ordinance, the provisions hereof shall become effective on February 26, 2025.

Section 4. Severability. If any section, subsection, paragraph, clause, or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or

unenforceability of such section, subsection, paragraph, clause, or provision shall in no manner affect any remaining provisions of this resolution, the intent being that the same are severable.

Section 5. Repeal of Inconsistent Laws. All orders, resolutions, bylaws, ordinances or regulations of the Town, or parts thereof, inconsistent with this resolution are hereby repealed to the extent only of such inconsistency.

INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THE 5th DAY OF FEBRUARY 2025. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 19th DAY OF FEBRUARY, 2025 AT 5:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:

By: _____
Jay Brunvand, Town Clerk

THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THIS 19th DAY OF FEBRUARY, 2025.

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:

By: _____
Jay Brunvand, Town Clerk

EXHIBIT A

Sections 6-7-20 and 6-7-40 of the Minturn Municipal Code are amended as follows with double underlined text added and ~~strike through text~~ deleted.

Sec. 6-7-20. Definitions.

When not clearly otherwise indicated by the context, the following terms, words, and phrases as used in this Article have the following meanings:

Long-term rental means any residential property dwelling unit or portion thereof rented for a period of six (6) months or more without more than thirty (30) days between tenancies.

Property means any building, house, structure, or unit entirely consisting of residential “square-foot floor area” as that term is defined in Section 13-1-10.

Sec. 6-7-40. License restrictions.

(d) Occupancy. A short-term rental license is subject to the following restrictions.
~~Two-year ownership. No property shall be licensed as a short-term rental unless the owner has owned the property for two (2) or more years before a license application is filed. Transfers to a trust where the owner of the property is the beneficiary of the trust or to a corporate entity where the owner of the property is the majority owner of the entity shall not constitute a break in the period of ownership. This section shall not be read to prohibit the long-term rental of properties (for periods in excess of thirty (30) days) within the first two (2) years of ownership. The short-term rental license is nontransferable with the sale of the property.~~

- (1) Partial short-term occupancy. If the property owner wishes to use thirty-three percent (33%) or less of the “square-foot floor area” of the property, as that term is defined in Section 13-1-10, for short-term rental purposes, the owner may, upon compliance with the provisions of this Article, obtain a short-term rental license for up to thirty-three (33%) of the “square-foot floor area” without prior ownership or occupancy limitations.
- (2) Majority short-term occupancy. If the property owner wishes to use greater than thirty-three percent (33%) of the “square-foot floor area” of the property, as that term is defined in Section 13-1-10, for short-term rental purposes, then for a period of at least two (2) years before applying for a

short-term rental license, the property owner must own the property and:

- a. Live in the property as the owner's primary residence; or
- b. Lease the property as a long-term rental to a tenant who lives in the property as the tenant's primary residence.

Transfers to a trust where the owner of the property is the beneficiary of the trust or to a corporate entity where the owner of the property is the majority owner of the entity shall not constitute a break in the period of ownership.

- (3) The 100-Block Zones are exempt from the two-year ownership and occupancy restrictions and can be licensed as a short-term rental immediately only on second floors and above and only if there is an active, licensed sales tax revenue generating commercial use on the ground floor of the structure.

- (g) The short-term rental license is nontransferable with the sale of the property.



LOVE
YOUR
TRAILS



Minturn Bike Park 2025 Improvements



Why improve the Minturn Bike Park.

Section 11, Item A.

What we're seeing now...



Practicing in the parking lot

What we're seeing now...

Section 11, Item A.

Maloit Park



- User built skills features
- We would like to see a safer, more permanent option located at the MBP

What we'd like to see more of...



A designated area for all ages/abilities to practice, and build skills

What we're seeing now...

Section 11, Item A.



What we'd like to see more of...



Progressive and creative jump options that retain attention, keep people coming back, and allow for rider growth

Current status of the Minturn Bike Park

Section 11, ItemA.

1. Dual Slalom Track
2. Loveable Outlaw Slopestyle Jump Trail
3. Mini-Mile
4. Advanced Downhill Flow Trails
5. Beginner Downhill Flow Trails
6. Pumptrack
7. Dirt Jumps
8. Kid's Pumptrack
9. Parking Lot
10. Pavilion & Shade



(Zoomed in)



What we've heard from the community

Skills Area

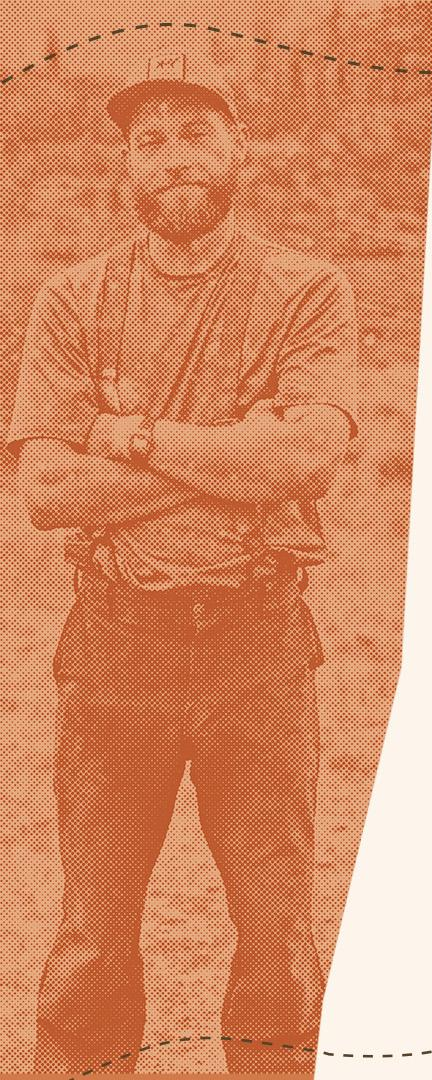
Section 11, ItemA.

- Town of Minturn Residents taking their kids to the Eagle Bike Park to use the skills area
- Local programs and nonprofits, such as Exploremos and Cycle Effect, highly value accessible spaces for teaching and coaching

Dirt Jumps

- Advanced users are looking for variation
- More opportunities for progression
- The jumps need updating

SKILLS ZONE



What could a skills zone look like?



Skills zone potential

Section 11, Item A.



**NATURAL +
MAN-MADE**



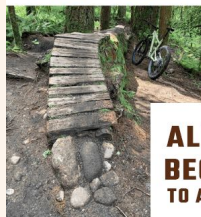
HEALTH EXERCISE OUTDOORS



**SKILLS
PRACTICE**



**SAFE
CONTROLLED
ENVIRONMENT**



**ALL AGES
BEGINNER
TO ADVANCED**



GATHERING PLACE



PROGRESSIVE CHALLENGE

**TOURISM
& PARK USAGE**



Where do we put a skills zone?

Section 11, Item A.



Option 1

Roughly .3ac

Pros: Good use of existing space,

Cons: Relatively small area, shed needs to move, tree relocation

Option 2

Roughly .4ac

Pros: Larger area, topography for fun features

Cons: Drainage?, taking on additional property, proximity to landscape yards

How can we get this done?

- Utilize VVMTA's skills and experience in building bike parks to maximize efficiency
- Minimize labor costs by utilizing VVMTA's volunteer base and potential for donated materials
- Utilize Town of Minturn/VVMTA equipment to save significant costs on machinery
- Potential for new sponsorship opportunities for additional revenue towards construction



Skills zone costs

- Using recent data acquired from the Eagle Bike Park build, VVMTA believes a skills area can be completed at the Minturn Bike Park for an estimated \$39,350
- This cost includes major items such as grading/site prep, features, labor, and additional shade structure



DIRT JUMPS

What could the dirt jumps look like?

Section 11, ItemA.



What does this bring to the Town of Minturn?

- Regional draw
 - Economic benefits of increased visitation
 - Professional level riders work on the jumps, bring inspiration and mentorship to the local kids
 - Breathes new life and excitement into the Minturn Bike Park
 - Get people talking about updates at the MBP
- Hold a spot on the “Colorado Dirt Jump Loop” consisting of Frisco, Eagle, Valmont, Carbondale, Crown Mtn bike parks



What does it take to get this done?

**THE
JUMP DOCTORS**
TRAIL AND BIKEPARK RESTORATION

[Link Here](#)



- VVMTA has received a bid from The Jump Doctors who specialize in this type of work to take on a re-working of the dirt jumps
- This would include updates and changes that would bring a new experience to the jumps

Dirt jump costs



For a total cost of \$24,970
the Minturn Bike Park would receive...

- A team of Jump Doctors skilled diggers and builders on-site for one week in the spring time performing updates and modifications

Making sure this is what the community wants

Plans for community engagement

- Survey
- Concept design created based on results
- Open house to provide feedback on the concept
- Release final draft for review and approval
- Execute on final design

Sample survey draft

Section 11, ItemA.

Minturn Bike Park Improvement Survey

Dear Minturn Bike Park Community,

We are planning significant improvements to the **Minturn Bike Park**, including the addition of a **skills area** and major upgrades to the **dirt jumps**. Your input is invaluable in shaping these enhancements! Please take a few minutes to share your thoughts.

1. How often do you visit the Minturn Bike Park?

- ☐ Multiple times a week
- ☐ Once a week
- ☐ A few times a month
- ☐ A few times a year
- ☐ I have not been to the park yet

2. What is your primary skill level?

- ☐ Beginner
- ☐ Intermediate
- ☐ Advanced
- ☐ Professional/Expert

3. What improvements to the dirt jumps would you like to see? (Check all that apply)

- ☐ More progressive jump lines for different skill levels
- ☐ Bigger, more advanced jumps
- ☐ Better shaping and maintenance of existing jumps
- ☐ Additional pump track features
- ☐ Other (please specify): _____

4. What features would you like included in the new skills area? (Check all that apply)

- ☐ Small wooden drops & rollers
- ☐ Rock gardens & technical lines
- ☐ Balance features (e.g., skinny logs, teeter-totters)
- ☐ Berm ed corners & switchbacks
- ☐ Other (please specify): _____

5. Are there any additional features or amenities you would like to see added to the park? (Check all that apply)

- ☐ More shaded seating areas
- ☐ Better signage & trail markers
- ☐ Bike maintenance stations
- ☐ More beginner-friendly features
- ☐ Other (please specify): _____

6. Do you have any additional comments or suggestions for the Minturn Bike Park improvements?

7. Would you like to stay updated on park improvements?

- ☐ Yes, please send me updates! (Email: _____)
- ☐ No, thank you.



**Thank you
for your
support!**



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FUTURE MEETING AGENDA ITEMS

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

February 19, 2025

- Ordinance __ - Series 2025 (Second Reading) An Ordinance to amend the Short-Term Rental regulations to require 2-year residency instead of property ownership - Legal
- Discussion/Direction – 30’ River Setback Education, Remediation & Enforcement – Hunn/Rindy

March 5, 2025

- Resolution __ - Series 2025 A Resolution Appointing DDA Board Members - Krieg

March 19, 2025

- SS4A Update - Stolfus Engineering
- Resolution __ - Series 2025 A Resolution Appointing Planning Commission Members - Harris

Dates to be Determined:

- Ordinance __ - An Ordinance Adoption of the 2024 Model Traffic Code – Legal/Krieg
- Ordinance __ - An Ordinance to add new Colorado Traffic Violation (Prohibits drivers from holding or handling their phones while driving, including at stoplights). – Legal/Krieg
- Discussion/Direction – Wildlife Migration Corridor/Winter Habitat Area and Approved Windows for Construction – Hunn/Harris
- Resolution __ - A Resolution Approving the Updated Town of Minturn Employee Handbook – Brunvand 4/16/25
- Resolution __ - Series 2025 A Resolution Renewing the Xcel Energy Franchise Agreement – Brunvand 4/2 or 4/16/25