



AGENDA

Historic Preservation Commission Meeting

Tuesday, November 19, 2024

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/83344990329>

Zoom Call-In Information: 1 651 372 8299 or 1 301 715 8592 **Webinar ID:** 833 4499 0329

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 Madison Harris, Planner 1, prior to the meeting and will be included as part of the record.

1. **CALL TO ORDER - 5:30 PM**
2. **ROLL CALL AND PLEDGE OF ALLEGIANCE**
3. **APPROVAL OF REGULAR AGENDA**

Opportunity for amendment or deletions to the agenda.

4. **APPROVAL OF MINUTES**
[A.](#) October 15, 2024
5. **DECLARATION OF CONFLICTS OF INTEREST**
6. **PUBLIC COMMENTS**

Citizens are invited to comment on any item 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 HPC Secretary. Those who are speaking are requested to state their name and address for the record.

7. SPECIAL PRESENTATIONS

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

8. BUSINESS ITEMS

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

9. DISCUSSION / DIRECTION ITEMS

[A.](#) Flexibility - Ordinance No. TBD - Series 2024 An Ordinance of the Town of Minturn Amending Chapter 16 and Chapter 19 of the MMC

10. STAFF REPORTS

11. HISTORIC PRESERVATION COMMISSION COMMENTS

12. FUTURE AGENDA ITEMS

13. ADJOURN



OFFICIAL MINUTES
Historic Preservation Commission Meeting
Tuesday, October 15, 2024
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/81880173258>

Zoom Call-In Information: 1 651 372 8299 or 1 301 715 8592 **Webinar ID:** 818 8017 3258

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 Madison Harris, Planner 1, prior to the meeting and will be included as part of the record.

1. CALL TO ORDER - 5:30 PM

Robert Creasy called the meeting to order at 5:30 p.m.

2. ROLL CALL AND PLEDGE OF ALLEGIANCE

Members present: HPC Chair Ken Halliday, HPC Vice Chair Robert Creasy, and HPC Members Kelly Toon, Lynn Teach, and Tracy Andersen.
Staff members present: Planner I Madison Harris.

3. APPROVAL OF REGULAR AGENDA

Opportunity for amendment or deletions to the agenda.
Motion by Lynn T., second by Kelly T., to approve the agenda as presented. Motion passed 5-0.

4. APPROVAL OF MINUTES

A. September 17, 2024

Motion by Tracy A., second by Lynn T., to approve the minutes of September 17, 2024 as presented. Motion passed 5-0.

5. DECLARATION OF CONFLICTS OF INTEREST

Ken Halliday and Kelly Toon have a conflict of interest with Agenda Item 8A Certificate of Appropriateness - Relocation of Meyer's Barn from 25 Harrison Avenue to Little Beach Park.

6. PUBLIC COMMENTS

Citizens are invited to comment on any item 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 HPC Secretary. Those who are speaking are requested to state their name and address for the record.

No public comments.

7. SPECIAL PRESENTATIONS

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

A. Historic Preservation Commissioner Training

Sam Light with CIRSA gave a presentation going over the role of the HPC, legislative, and quasi-judicial actions. Discussion ensued.

Note: 5 minute recess called at 7:12 p.m.

8. BUSINESS ITEMS

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

Note: Ken H. and Kelly T. recused themselves.

A. Certificate of Appropriateness - Relocation of Meyer's Barn from 25 Harrison Avenue to Little Beach Park

Madison H. introduced the agenda topic. A Certificate of Appropriateness application has been submitted for the Historic Landmark located at 25 Harrison Avenue known as the Meyer's Barn. It is staff's understanding that there is little use for the structure in its current location, whereas the Little Beach Park Sub Area Master Plan specifically calls out a building of similar dimensions to be placed at the top. Based on the plans submitted, staff does believe that the structure can be dismantled, moved, and reassembled while not affecting the integrity of the components very much. There are plans to replace a couple of the logs that have rotted near the ground. There are no current plans to replace the Meyer's Barn with a new structure as there is another existing structure on the site. Planning Commission will need to view the application for the construction of this structure at Little Beach Park which can be a condition of approval. Staff believes that the relocation of the Meyer's Barn is, while not this specific structure, one similar is contemplated in the Little Beach Park Sub Area Master Plan adopted by the Town, and thus supportive of this relocation. The log cabin should not impose on the structures already in the area, but instead provide additional charm and should not diminish the integrity of the neighborhood.

Woody Woodruff, 344 Eagle River Street, Applicant

This town has a real history, but there isn't much place for it. The owner of the barn originally wanted to demolish the structure, and there was drive to save it. This fits within the LBP Sub Area master plan that can function as a concessions stand. Looked at moving the structure as a whole, but financially it makes sense to disassemble and reassemble. This is something that hasn't been done before. The building currently sitting on a slope which affects the lower logs, and so when it is moved to a flat area they will need to replace them.

Lynn T. likes the way that this has been laid out/itemized what needs to be done.

Robert C. thinks this is a way to preserve an existing historic structure and a great way to re-use. Has concerns with moving the structure and losing the connection to the original owners, the Meyer's. Asked if there was thought to a plaque explaining the history.

- Mr. Woodruff said that there would be a plaque explaining and also mentioning everyone who donated their time.
- Robert C. would like to add a condition of approval saying that there will be a plaque. Also has a question about the feasibility of dismantling a potentially frail structure, and putting it back together and maintaining the integrity.
- Mr. Woodruff explained the disassembling process.
- Robert C. asked if they are intending to rethink the structure.
- Mr. Kelly Toon, 531 Main, Applicant
Haven't thought too much of winter use, but it could be something done in the future.
- Robert C. believes that the historic look of the structure should be maintained.
- Mr. Woodruff said that any plans in the future to chink the structure on the outside will come back before the HPC

Robert C. clarified that the original roof and two openings will stay.

- Mr. Toon said yes.

Tracy A. asked if the future site has already been designated.

- Mr. Halliday said that this is something they are working out with the Town.
- Tracy A. has concerns about trees coming down to support this moving.
- Mr. Halliday said that they are not taking down any trees.

Public comment opened.
No public comment.
Public comment closed.

Motion by Lynn T., second by Tracy A., to approve with conditions the Certificate of Appropriateness - Relocation of Meyer's Barn from 25 Harrison Avenue to Little Beach Park. Motion passed 3-0.

1. The Applicant shall work with the Town of Minturn to initiate a Design Review Board application for the placement of the Meyer's Barn at Little Beach Park.
2. Once the building has been relocated, the Applicant shall erect a plaque detailing the history of the original placement of the structure.

Note: Ken H. and Kelly T. unrecused themselves.

9. DISCUSSION / DIRECTION ITEMS

A. Flexibility

Madison H. introduced the topic. 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. Staff encourages the members of the HPC brainstorm ideas to encourage flexibility to discuss and vet at the October 15, 2024 HPC meeting. At the September 17, 2024 HPC meeting, Buena Vista's Sect. 19-9 was suggested to consider implementing. Sec. 19-9. - Revocation of designation. (a) If a designated structure or physical feature on a designated site is destroyed or demolished through no fault of the owner or in compliance with this Chapter, the owner may apply to the Town for revocation of designation. The Commission shall recommend revocation of a historic designation if it determines that, without the demolished structure or physical feature, the structure or site as a whole no longer meets the purposes and criteria of this Chapter and if the public benefits of alteration, removal, or demolition of the structure or physical feature outweigh the public benefits of maintaining the designation. (b) Upon the Commission's recommendation, the application scheduled for

consideration by the Board of Trustees. The Board of Trustees shall, by resolution, approve, modify and approve, or deny the application. The resolution, if it approves or modifies and approves the revocation, it shall be recorded with the Chaffee County Clerk and Recorder no sooner than thirty (30) days after the decision.

Lynn T. stated that she put this forward based on something a Council member had questioned.

Kelly T. questioned if there is a percentage that qualifies.

Direction to staff was to bring an ordinance adding the Buena Vista code section to the MMC.

Ken H. would like to reopen the conversation about setback and parking relief.

- Robert C.:
- 3 ft side setback.
- 5 ft front setback for relocated structure
- 5 ft rear setback as long as it doesn't interfere with the live stream setback

Lynn T. has no issue with the side setback in the downtown area, but thinks there might be issues in a residential area. Also has concerns about how this affects the parking requirements.

Robert C. said it is incumbent on the HPC to provide options for property owners who own historically designated property.

- Lynn T. asked if a variance could be used.
 - Yes, but it isn't an incentive then because it isn't guaranteed.

Ken H. would like to look into lot utilization (building and impervious coverage).

Robert C. suggested making changes to commercial and/or mixed use ahead of residential.

Direction to staff was to draft an ordinance looking at setbacks and lot utilization.

Lynn T. argued against allowing parking relief.

Robert C. pointed out that unless there is residential component, parking should be exempt for commercial/mixed-use which would also allow the rear setbacks to be lessened.

Ken H. would like to add an FAQ page to the historic preservation website and Robert C. would like to link to History Colorado about grants and tax credits.

10. STAFF REPORTS

A. Planning Department Update

701 Main Street

The property owner of 701 Main St. in Minturn recently applied to alter the exterior of the structure. The structure was originally built in 1941, thus surpassing the 75 year threshold and triggering the requirement of posting a sign on the property detailing that an application for demolition has been submitted, and that the structure is eligible for nomination to be designated as a historic property. The sign was posted on September 18, 2024 so any nomination must be applied for by October 1, 2024 at 5:00 pm; otherwise it will be understood that the desire is not to designate this property or structure as historic and the property owner can commence with the regular application process.

532 Main Street

The property owner of 532 Main St. in Minturn recently applied to demolish the structure. The structure was originally built in 1928, thus surpassing the 75 year threshold and triggering the requirement of posting a sign on the property detailing that an application for demolition has been submitted, and that the structure is eligible for nomination to be designated as a historic property. The sign was posted on September 30, 2024 so any nomination must be applied for by October 14, 2024 at 5:00 pm; otherwise it will be understood that the desire is not to designate this property or structure as historic and the property owner can commence with the regular application process.

Madison H. showcased the old wooden water line that has been donated to the Town by Mr. and Mrs. David and Lilly Ford.

11. HISTORIC PRESERVATION COMMISSION COMMENTS

Lynn T. said that Ella Burnett’s 98th birthday is October 17th.

Ken H. suggested capturing the oral history of all the old timers.

Kelly T. would like to add addresses to Bill Burnett’s book.

12. FUTURE AGENDA ITEMS

13. ADJOURN

Motion by Kelly T., second by Ken H., to adjourn the regular meeting of October 15, 2024 at 9:10 p.m. Motion passed 5-0.

Ken Halliday, Commission Chair

ATTEST:

Michelle Metteer, Town Manager



To: Historic Preservation Commission (“HPC”)
From: Madison Harris
Date: November 15, 2024
RE: Flexibility - Ordinance TBD - Series 2024 An Ordinance of the Town of Minturn, Colorado Amending Chapter 16 and Chapter 19 of the Minturn Municipal Code

INTRODUCTION:

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.

ANALYSIS:

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.

HPC should review the ordinance and give feedback to staff on wording and amendments, however no formal action should be taken on this ordinance as public notice has not been accomplished

STRATEGIC PLAN ALIGNMENT:

The comprehensive review of the Town’s Historic Preservation regulations and processes aligns with the following key strategies:

PRACTICE FAIR, TRANSPARENT AND COMMUNICATIVE LOCAL GOVERNMENT

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

SUSTAIN AND INVEST IN THE THINGS THAT DEFINE MINTURN AS A PROUD, STURDY MOUNTAIN TOWN TO “KEEP MINTURN MINTURN”

Minturn strongly values its full-time residents and welcomes diversity.

TOWN OF MINTURN, COLORADO
ORDINANCE NO. – SERIES 2024

AN ORDINANCE OF THE TOWN OF MINTURN,
COLORADO AMENDING CHAPTER 16 AND CHAPTER 19
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 Council has adopted Chapter 19 Historic Preservation; and

WHEREAS, the Town of Minturn 2023-2025 Strategic Plan (hereinafter the “Strategic Plan”) seeks to “foster the authentic small town character that is Minturn,” and to “Lead Minturn to long-term viability while preserving its unique character and genuine mountain town community,” through specific strategic plan goals and policies;

WHEREAS, the Strategic Plan contains four key strategies for implementation including “Practice fair, transparent and communicative local government,” “Long-term stewardship of the natural beauty and health of Minturn’s environment,” “Sustain and invest in the things that define Minturn as a proud, sturdy mountain town to “Keep Minturn, Minturn,” and “Advance decisions/projects/initiatives that expand future opportunity and viability for Minturn;” and

WHEREAS, on _____, the Minturn Historic Preservation Commission considered this ordinance and recommended approval; and

WHEREAS, on _____, the Minturn Town Council approved this ordinance on first reading; and

WHEREAS, the Minturn Historic Preservation Commission and Town Council have determined that the text amendments to Chapter 19 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. Chapters 16 and 19 of the Minturn Municipal Code are 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 Chapters 16 and 19 which are not expressly described in this Ordinance are deemed to continue to be in full effect without change.

CHAPTER 16 – Zoning

ARTICLE 2 – Definitions, Illustrations and Lot Standards

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

The following Table 16-A sets forth general lot requirements and dimensional standards:

**Table 16-A
Dimensional Standards**

Character Area	Zones	A	B	C	D	E	F	G		
		Lot Requirements					Setbacks			
		Min. Lot Area/Max. Lot Area (sq. ft.)	Min. Lot/Max. Lot Dimension (feet)	Maximum Building Lot Coverage (%) [*]	Maximum Impervious Surface Area (%) [*]	Minimum Setbacks (ft) <u>Front</u> [*]	<u>Rear</u> [*]	<u>Side</u> [*]	Live Stream Setback (ft)	
Meadow Mountain	Fed. reg. land use	N/A	N/A	N/A		Rec. 50	N/A	N/A	Rec. 30	
Grouse Creek	Commercial	5,000	50	70	80	20	10	10	Eagle River=30 Grouse Creek=30	
Old Town	Recreation & open space	To be determined as part of conditional review							30	
	Residential	5,000	50	45	55	10	10	5		
	100 Block: A	2,500/7,500	25/75	80%	90%	5 min./20 max. 15 min. 40% lot frontage 40 min. parking	25 30 (south of Nelson on Williams)	5		
	100 Block: A (incentive floor)					25	25 30 (south of Nelson on Williams)	10		
	100 Block: B					5	5	5		
	Commercial	2,500	25	80	90	0	10	5		

	Mixed-use: Residential	5,000	50	45	55	10	10	5	
	Mixed-use: Commercial	5,000	50	70	80	10	10	5	
South Town	Residential	5,000	50	45	55	20	10	5	30
	Commercial	7,500	50	80	90	20	10	5	
	Fed. reg. land use	N/A	N/A	N/A		Rec. 50	Rec. 20	Rec. 10	
Martin Creek	Residential estate or 2 AC	87,120	N/A	20		40	20	20	30
Cross Creek	Residential-S	5,000	50	50	60	20	10	10	Eagle River=30 Cross Creek=50
	Residential-N	10,000	100	40	50	20	10	10	
	Mixed-use	10,000	100	70	80	20	10	10	
	Fed. reg. land use	N/A	N/A	N/A		Rec. 50	Rec. 20	Rec. 10	
Lionshead	Recreation & open space	N/A	N/A	N/A		To be determined as part of conditional use review			30
	Light ind. & public facilities	10,000	100	45		25	25	10	
	Cemetery	N/A	N/A	40	N/A	25	10	5	
Game Creek	Residential	5,000	50	40	50	20	10	5	Game Creek=30
Railroad	PUD holding zone	To be determined as part of the PUD review							Eagle River=30
Eagle River	Recreation & open space	To be determined as part of the conditional use review							Eagle River=30
Transportation	Railroad R-O-W/Transportation	To be determined as part of the conditional use review							

Note 1. For any and all lots within the Old Town Mixed-Use zone district, if a proposed use and/or development on a lot is one hundred percent (100%) residential in nature, such use and/or development must conform to allowable residential standards (forty-five percent (45%) building lot coverage and fifty-five percent (55%) impervious). However, if such use and/or development includes bona fide ground floor retail and/or sales tax generating commercial uses as the primary use of the property; any residential uses included as a mixed-use development are secondary or ancillary; and all other development standards are met, then the use and/or development may conform to the commercial standards (seventy percent (70%) building lot coverage and eighty percent (80%) impervious coverage).

* If there is a historically designated structure on the lot there may be relief available via Sec. 19-5-50.

CHAPTER 19 – Historic Preservation

ARTICLE 4 – Designation Procedure

* * *

Sec. 19-4-90. – Revocation of designation.

- (a) If a historic property or historic district has been altered to a degree that it no longer retains its eligibility criteria, the owner, an HPC member, or Town Council person may apply to HPC for a revocation of the designation. ~~The revocation application shall be administered by the Planning Department, HPC, and Town Council in the same manner as a proposed amendment of designation.~~
- (b) If a designated structure or physical feature on a designated site is destroyed or demolished through no fault of the owner or in compliance with this Chapter, the owner may apply to the Town for revocation of designation. HPC shall recommend revocation of a historic designation if it determines that, without the demolished structure or physical feature, the structure or site as a whole no longer meets the purposes and criteria of this Chapter and if the public benefits of alteration, removal, or demolition of the structure or physical feature outweigh the public benefits of maintaining the designation.
- (c) Upon HPC’s recommendation, the application scheduled for consideration by the Town Council. The Town Council shall, by resolution, approve, modify and approve, or deny the application. The resolution, if it approves or modifies and approves the revocation, it shall be recorded with the Eagle County Clerk and Recorder no later than thirty (30) days after the decision.

* * *

ARTICLE 5 – Alterations to Listed Properties and Historic Districts

* * *

Sec. 19-5-50. – Historic Preservation incentives

The purpose of this section is to provide incentives to encourage and support the preservation, maintenance and appropriate rehabilitation of property and structures designated to be historically significant with the Town. The incentives outlined in this section may be available to property designated to be historically significant within the Town’s boundaries.

- 1) The following incentives and assistance may be granted by the Historic Preservation Commission when associated with a request for Certificate of Appropriateness approval:
 - a) Side setback relief of three feet, not to allow structures to be less than six feet apart per the currently adopted Fire Code, for new construction or alterations to an existing building.
 - b) Front setback relief of five feet, not to allow structures to be less than six feet apart per the currently adopted Fire Code, for new construction or alterations to an existing building.
 - c) Rear setback relief of five feet, not to allow structures to be less than six feet apart per the currently adopted Fire Code, for new construction or alterations to an existing building.
 - d) No setback relief shall be given to any live stream setback for Historic Preservation purposes.
 - e) Maximum Building Lot Coverage per Chapter 16 – Zoning may be increased five percent (5%).
 - f) Maximum Impervious Surface Area per Chapter 16 – Zoning may be increased five percent (5%).

* * *

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 __ DAY OF _____ 2024. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE __DAY OF _____ 2024 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 __ DAY OF _____ 2024.

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:

By: _____
Jay Brunvand, Town Clerk