

Minturn Planning Department
Minturn Town Center
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Minturn, Colorado 81645



Minturn Planning Commission
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Planning Commission Public Hearing

Temporary Use Permit for Summer Bike Parking Tent

Hearing Date:	June 12, 2024
File Name and Process:	Town of Minturn Summer Bike Parking Tent Temporary Use
Owner/Applicant:	Town of Minturn
Representative:	Cindy Krieg
Legal Description:	Mackedon & Rathburns Block C Lots 3 and 4 and Booco Block D Lot 1 Thru Part of Lot 3
Zoning:	Old Town Character Area 100 Block A
Staff:	Madison Harris, Planner I
Recommendation:	Approval

Staff Report

I. Summary of Request:

The Applicant, Cindy Krieg, of the Town of Minturn requests review of a new Temporary Use Permit for portions of 171 Main Street and 191 Main Street to allow for temporary summer bike parking generally located east of the Colorado Mattress Store.



Figure 1: Vicinity Map

The Applicant proposes to use the area for a tent for summer bike parking.

From the application, the following description is provided by the Applicant:

“The Town has a 20x20 white tent with metal poles, which would need to be staked into the ground in the proposed area. The tent would be erected upon approval, hopefully in time for the first Market on June 22nd. The tent would remain up only through the summer, proposed through October 3rd.”

As outlined within this report, **staff is recommending approval** of the proposed Temporary Use Permit.

II. Summary of Process and Code Requirements:

This is a Temporary Use Permit review by the Town of Minturn Planning Commission, which should result in the Planning Commission making a formal recommendation for approval, approval with conditions, or denial of the request in accordance with the standards, criteria and findings outlined in Section 16-21-640 – *Temporary use permit*, Minturn Municipal Code. The Commission’s recommendation will be forwarded to the Town Council which will take formal action to approve, approve with conditions, or deny the request.

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:

(c) Criteria. Prior to approval of a temporary use permit, the Planning Director shall consider the following:

- (1) The building or use is not in conflict with applicable health, sanitation, safety or access laws.*
- (2) The building or use proposed is a use by right or limited review use in the zone, compatible with the surrounding uses and consistent with the Community Plan and this Chapter.*
- (3) There is written assurance that the building or use will be removed or ceased by the required time.*

- (4) *The Town has written permission from the applicant and landowner to remove the building or use, at the landowner's expense, when not in compliance with this Chapter or the temporary use permit.*

III. **Background:**

According to the Minturn Municipal Code, any uses and structures intended to be established for not more than six months - require the approval of a Temporary Use Permit.

Minturn sees many visitors throughout the year, but especially in the summer, and they come in multiple modes of transportation. It is staff's hope that providing an easily accessible location for people to parking their bikes during the summer will be helpful to all.

IV. **Zoning Analysis:**

Zoning

The subject property is located within the "Old Town Character Area" 100 Block A Zone District. The description and purposes of the PUD Holding Zone District are as follows:

Sec. 16-6-10. - Character Area characteristics.

*The intent of the Community Plan is that the Old Town Character Area maintain its **unique and friendly small town character** while providing for a compatible mix of retail/commercial and residential uses. Old Town provides for low-impact retail/commercial and residential uses that **support and enhance the friendly small town character**. **Small town main street characteristics such as walkability**, window fronts, main entrances fronting sidewalks, and smaller scale buildings are to be promoted. The intent is to concentrate retail/commercial uses on Main Street and Williams Street and discourage retail/commercial uses on secondary streets when they would conflict with existing residential uses. The Old Town Character Area is to function as the primary retail/commercial core that encourages compatible retail/commercial activity and economic vitality. Subdivisions and planned unit development occurring within the Old Town Character Area need to comply with the zoning code and promote the objectives in the Design Guidelines.*

*The small town main street characteristics for the Old Town Character Area are set forth in the Minturn Design Standards and Guidelines. The Design Guidelines are the foundation underlying the Design Review process and are essential for the Town in its **efforts to maintain the eclectic small town atmosphere, character and the overall charm of our community**. The Guidelines are a great starting point when considering building or remodeling in Town. Please visit the Planning Department Staff with any questions about your project after consulting the Design Guidelines.*

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

- (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.*

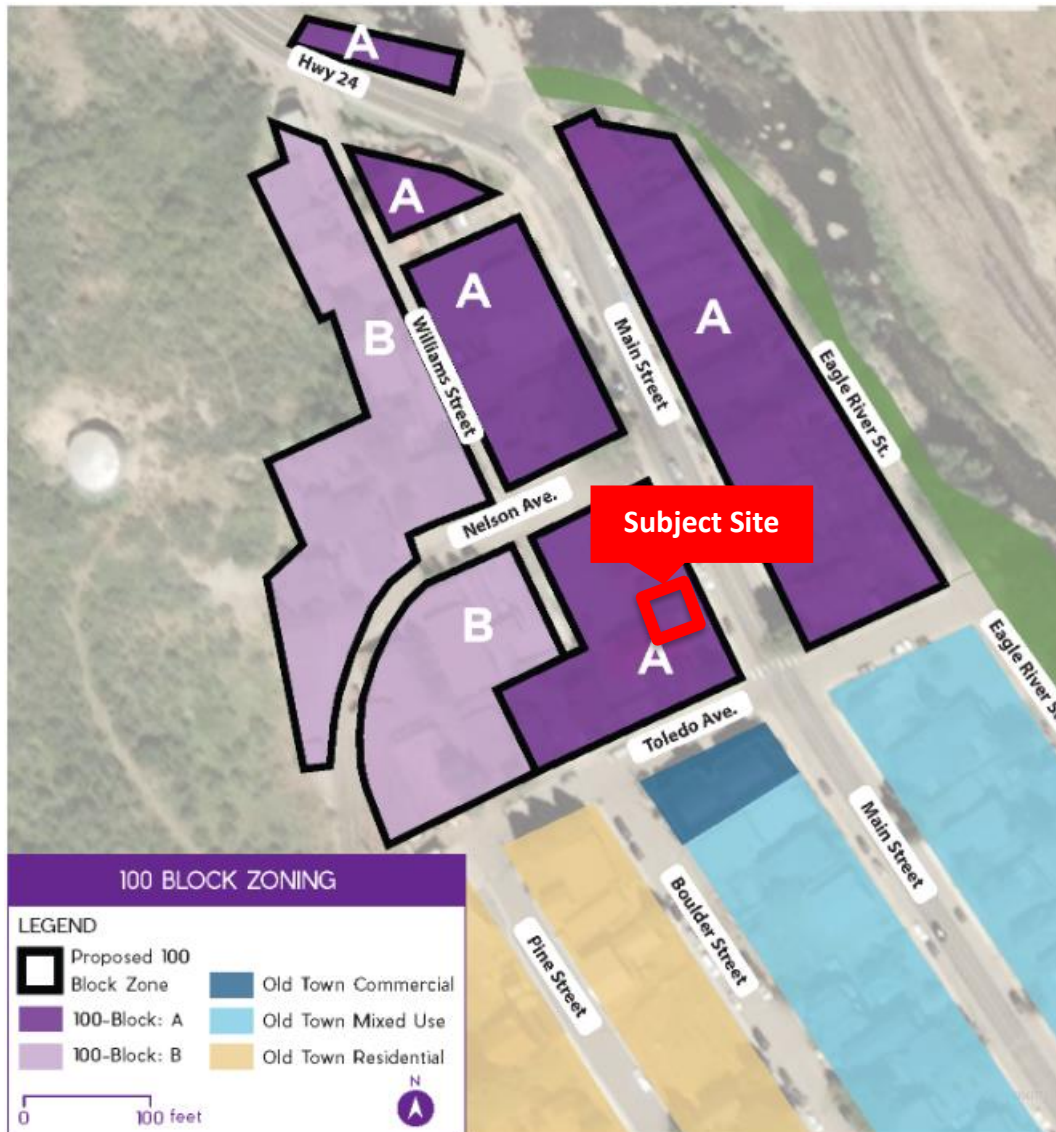


Figure 3: 100 Block Zoning Map

Dimensional Limitations and Development Standards

As this is a temporary use and a temporary structure, dimensional limitations do not apply.

V. Issues and Discussion Topics:

Staff has not identified any issues specific to this proposal. The Applicant has provided evidence to demonstrate that the use can meet all of the terms of use of a temporary use permit.

VI. Staff Findings and Analysis:

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

- a. *The building or use is not in conflict with applicable health, sanitation, safety or access laws.***

Staff Response:

The tent will be south of the Colorado Mattress store and will not infringe on the sidewalk thus allowing pedestrian traffic to continue unhindered. No health or sanitation laws are involved.

- b. *The building or use proposed is a use by right or limited review use in the zone, compatible with the surrounding uses and consistent with the Community Plan and this Chapter.***

Staff Response:

Under Chapter 6: “Intuitive Mobility, Circulation & Connectivity” of the 2023 Imagine Minturn Community Plan, it states, in part, that “...*numerous residents commented that they supported the Town’s efforts to provide street improvements, including new crosswalks and sidewalks in recent years. They expressed their desire for additional bike facilities...*” “*Minturn currently lacks designated on-street bicycle facilities. During community engagement, residents expressed support for additional bike facilities...*”

The Minturn Market and other summer events, as well as general summer traffic brings many bikes to Town with little to no place to park them so as to let people visit our businesses. This allows for a central, easily accessible location to park bikes within the downtown area.

- c. *There is written assurance that the building or use will be removed or ceased by the required time.***

Staff Response:

The letter of intent states that the tent will be taken down no later than October 3rd, 2024.

- d. *The Town has written permission from the applicant and landowner to remove the building or use, at the landowner's expense, when not in compliance with this Chapter or the temporary use permit.***

Staff Response:

As the Town is the applicant, this criteria is addressed.

VII. Staff Recommendation: **Approval**

Staff suggests the proposed Temporary Use Permit for Summer Bike Parking for the Town of Minturn, conforms with the Town’s Community Plan as well as the applicable provisions and requirements of Chapter 16 - Zoning. Therefore, staff is recommending approval.