



David Torgler, Administrator/Clerk

## COMMUNICATION FORM

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FROM: David Torgler, Town Administrator/Clerk  
DATE: April 19, 2024  
ITEM: Roller Coaster Ventures, LLC through its Members, Chris & Sheila Cummins, 211 E. Main Street, Unit 1  
ATTACHED: Staff report, including Applicants application materials.

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BOARD ACTION:              X   ACTION ITEM  
                                        DIRECTION REQUESTED  
                                        INFORMATION  
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REQUEST OR ISSUE: Public Hearing, review and consideration of the Planning Commission's recommendation concerning an application for a Land Use Change of Minor Impact proposing to allow for mixed office/residential uses.

RECOMMENDED ACTION: That the Board opens the public hearing to review the Planning Commission's recommendations which are to approve the application subject to the following:

### FINDINGS OF FACT:

The Planning Commission/ Town Board find that the proposed land use change is in:

- A. Conformance of the proposed land use change with the policies and principles in the Oak Creek Comprehensive Plan Update, pursuant to C.R.S., 1973, Section 31-23-206; and
- B. Conformance with the requirements and performance standards established in this code; and
- C. Will preserve the health, safety and welfare of the citizens of the Town of Oak Creek, Colorado.

CONDITIONS OF APPROVAL: the following conditions are recommended to be included as part of the proposed Land Use Changes of Minor Impact for the variance and land use change subject to the following requirements:

1. Applicant shall identify and provide written verification to the Town Administrator/Clerk where one (1) parking space within a reasonable walking distance to the property will meet the requirement for residential use.
2. All exterior lighting on the site will be down cast, use the lowest wattage possible to sufficiently light the intended area and only provide illumination within the site in accordance with Section 17.10.010 of the Municipal Code.
3. All signs shall meet the sign standards in accordance with Section 17.10.011 of the Municipal Code.
4. Upon abandonment of the land use change, if such abandonment occurs at least three years following the effective date of the land use change permit. Abandonment shall be defined as the date one year after the last significant progress toward the construction of the development occurred. Abandonment shall be determined at the sole discretion of the Routt County Building Official and such determination may be appealed pursuant to [Section 17.09.06](#).

BACKGROUND INFORMATION: The property located at 211 East Main Street, Unit 1, legally described as Lots 9 - 12, Original Town of Oak Creek, and includes a multi-tenant, two-story building facing on Main Street with a steep uphill rear yard leading to an alley. The building is approved for commercial uses on the lower level and for residential use on the upper level. Unit 1 is presently vacant. The petitioner is proposing to use Unit 1 and the

adjoining Unit 2 for mixed office and residential uses. Neighboring properties to the east and west are used for residential purposes.

The property is approximately 0.28 acres (12,196 sq. ft.) in size.

FISCAL IMPACTS: None known.

LEGAL ISSUES: None known.

CONFLICTS OR ISSUES: None known.

SUMMARY AND ALTERNATIVES: See above.