



PLANNING COMMISSION REGULAR MEETING

448 E. 1st Street, Room 190 Salida, Colorado 81201
October 24, 2022 - 6:00 PM

MINUTES

Email public comments to: publiccomment@cityofsalida.com

Please register for the Planning Commission meeting:
<https://attendee.gotowebinar.com/rt/1909092342220683277>

CALL TO ORDER BY CHAIRMAN – 6:00 PM

ROLL CALL

PRESENT

Chairman Greg Follet
Vice-Chair Francie Bomer
Commissioner Judith Dockery
Commissioner Giff Kriebel
Commissioner Michelle Walker
Commissioner Brian Colby
Alternate Commissioner Aaron Derwingson
Alternate Commissioner Laura Atwood

APPROVAL OF THE MINUTES

October 11, 2022 - Draft Minutes

Motion made by Commissioner Dockery, Seconded by Commissioner Kriebel.

Voting Yea: Chairman Follet, Vice-Chair Bomer, Commissioner Walker, Alternate Commissioner Derwingson, Commissioner Colby

THE MOTION PASSED.

UNSCHEDULED CITIZENS: NA

AMENDMENT(S) TO AGENDA: NA

PUBLIC HEARINGS

Public Hearings will follow the following procedure:

- | | |
|---|--|
| A. Open Public Hearing | E. Public Input |
| B. Proof of Publication | F. Close Public Hearing |
| C. Staff Review of Application/Proposal | G. Commission Discussion |
| D. Applicant's Presentation (if applicable) | H. Commission Decision or Recommendation |

2. Limited Impact Review - Triplex near the River Minor Subdivision -

The request is for Limited Impact Review approval for a Minor Subdivision to subdivide Lots 2 and 3 River Ridge Subdivision into three (3) lots. The property is located within the High Density Residential (R-3) zone district.

- A. Open Public hearing – 6:03pm
- B. Proof of Publication -
- C. Staff Review of Amendment–

Planning Technician, Palumbo, reviewed the application.

Commission discussed the following:

- Fire wall inspection and ratings
- The building sits on multiple lots and is requesting subdivision. Why was the building permit and Certificate of Occupancy issued without the land being properly divided?
- Clarification on the compliance process for the subdivision and the fee in lieu process

D. Applicant's Presentation

Applicant, Barry Farrah, was online and spoke on the application.

E. Public Input –

Ron Carpenter was present and spoke against the process of dividing this into three lots.

F. Close Public Hearing – 6:19pm

G. Commissioner Discussion –

Commission asked about how many units could be put on these lots by right.

H. Commission Recommendation –

Motion made by Commissioner Dockery, Seconded by Commissioner Walker.

Vice-Chair Bomer amended the motion to add a condition of confirmation that the east wall meets the one hour fire rated requirement. Commissioner Kriebel seconds.

Voting Yea: Chairman Follet, Vice-Chair Bomer, Commissioner Dockery, Commissioner Kriebel, Commissioner Walker, Alternate Commissioner Derwingson, Commissioner Colby

THE MOTION PASSED.

Returning to the original motion as amended to approve the Triplex Near the River Minor Subdivision as it meets the review standards for as subdivision, subject to the conditions recommended by staff and the additional condition recommended by the commission.

Voting Yea: Chairman Follet, Vice-Chair Bomer, Commissioner Dockery, Commissioner Kriebel, Commissioner Walker, Alternate Commissioner Derwingson, Commissioner Colby

THE MOTION PASSED.

3. Limited Impact Review - Shaken Roost Minor Subdivision

The request is for Limited Impact Review approval for a Minor Subdivision to subdivide the .95 acre parcel into three (3) lots at 77 Illinois Avenue and 620 Teller Street. The parcel is located within the Commercial (C-1) zone district.

- A. Open Public hearing – 6:24pm
- B. Proof of Publication -
- C. Staff Review of Amendment–

Planner, Jefferson, spoke about the application. Staff recommends approval with nine conditions.

1. The City Administrator's signature block must be removed.
2. The sewer line serving the single family residence must be relocated to the City's sewer main in Illinois Ave.
3. The well located on Lot 2 and plumbed to the commercial building must be disconnected from the residence and the commercial building. The applicant will need to install water service to the single-family residence on Lot 2. Future development will be required to connect to the water main in Illinois Avenue.

4. All utilities to the commercial building on Lot 1 must be disconnected.
5. Utility easements must be added to the plat and requirements of all utility companies must be met.
6. A plat note be added with the following language; The Public Works Director may determine that curb, gutter and sidewalks be installed along the entire frontage of the property prior to issuance of any building permits. Or that payment for fee in lieu of the curb, gutter and sidewalk will be required. Public Works Director shall review and approve engineered design drawings prior to installation of curb, gutter and sidewalk.
7. A plat note be added with the following language – “Pursuant to section 16-6-120 (8), Parks, Trails and Open Space, of the Salida Municipal Code, as may be amended, at the time that residential dwelling units are constructed on any of the lots herein, either by further subdivision or building permit approval, land dedication and/or fees-in-lieu for parks, trails and open space in the amount then in effect shall be payable to the City prior to issuance of building permits.” Public Hearing, Item 2, Page 9
8. A plat note be added with the following language “Pursuant to Section 16-6-140 a payment in lieu of land dedication for fair contributions for public school sites shall be paid by the owner of each lot within this subdivision prior to issuance of a building permit for any new residential unit on such lot”.
9. A plat note be added that future residential development must meet the Inclusionary Housing requirements of Article XIII of Salida Municipal Code which may require deed restricted affordable housing and/or fees-in-lieu.

Commission asked about the following:

- The length of the conditions
- Tap Fees
- Water Lines, Wells and Easements for the properties

D. Applicant's Presentation

Joni Baker was present and spoke on the plans for the property.

E. Public Input –

Clint Shields, spoke on behalf of his mother, and said that there was no issue with the application but the map provided from the surveyor makes the private drive between the two properties appear to be a public alley.

Commission asked whether the property line was in dispute, if it was just a map error and if so, to contact the surveyor.

F. Close Public Hearing – 6:43pm

G. Commissioner Discussion –

Commission discussed the following:

- The lack of property line dispute
- Whether the easement of utility is on the property
- The energy company, Excel, has rights to an easement

Steve Miller, appeared online to speak on behalf of his mother, about the surveyors map and the private drive that is made to look like an alley.

Commission asked if it was appropriate to add a condition that there was no public access on the southside of the property.

H. Commission Recommendation –

Motion made by Vice-Chair Bomer to approve the Shaken Roost Minor Subdivision as it meets the subdivision review standards subject to the conditions recommended by staff one through nine and an additional condition number ten that there will be no public access to the parcel on the southside, Seconded by Commissioner Kriebel.

Voting Yea: Chairman Follet, Vice-Chair Bomer, Commissioner Dockery, Commissioner Kriebel, Commissioner Walker, Alternate Commissioner Derwingson, Commissioner Colby

THE MOTION PASSED.

Meeting recess was requested and approved. The meeting resumed at 6:57pm

4. Major Impact Review - River Ridge/Dutch Run Rezone request for Lots 15-21 in the River Ridge Subdivision and Lots 1 and 2 in the Dutch Run Subdivision

The request is to rezone 9 lots within the River Ridge and Dutch Run Subdivisions to R-2 (Medium-Density Residential). Currently, the lots in question are either split-zoned with a combination of R-3 (High-Density Residential) and R-4 (Manufactured Housing Residential) or are entirely R-3 or R-4.

Chairman Follet recused himself

- A. Open Public hearing – 6:58pm
- B. Proof of Publication -
- C. Staff Review of Amendment–

Director Almquist reviewed the application.

Commission asked the following:

- Is there access from CR 105?
- Riparian zone and sensitivity?
- Is there anything preventing builders from cutting into the river bank?
- How did the applicants come to believe they could build single family dwellings?

D. Applicant's Presentation

Liz Hedrick, architect, was present and spoke about how the HOA manual specifically mentioned single family dwellings and restricted manufactured homes.

Commission asked what are the intentions of the lot owners to build?

Charlotte Karls, Lot 21 River Rige subdivision & Lots 1 & 2 of the Dutch Run subdivision owner, spoke on why she believed she could build a single family dwelling.

Jeff Westcott, owner of Lots 22 and 23, spoke about how they believed it was zoned for single family dwelling or duplexes.

Bill Hussey of Crabtree Group spoke about how the code is written and how it is subject to interpretation

Ben Griffin, owner of lots in River Ridge, spoke about the process of purchasing and researching the lots.

Commission asked whether the Karls family were informed about the fees in lieu when they build.

E. Public Input –

Bob Karls spoke on the riparian corridor and advocated for less homes.

F. Close Public Hearing – 7:42pm

G. Commissioner Discussion –

Commission discussed the following:

- That split and spot zoning is bad
- Single family dwelling is fine by administrative review where appropriate with restrictive building envelope.
- Spoke about the history of these lots and applications

- The change in the variance procedures and how it would affect this application
- Can single family dwellings be built in R3?

H. Commission Recommendation –

Vice-Chair Bomer made a motion to deny the applicants request to rezone to R2 and further recommend that all lots or parts of lots that are zoned R4 to be rezoned to R3 to be compatible with the R3 zone district, Seconded by Commissioner Kriebel.

Voting Yea: Vice-Chair Bomer, Commissioner Dockery, Commissioner Kriebel, Commissioner Walker, Alternate Commissioner Derwingson, Commissioner Colby

THE MOTION PASSED.

UPDATES

COMMISSIONERS' COMMENTS

Commission recommends that lots that are currently split zoned or R4 in the subdivision should be brought to planning commission so it can be rezoned. There is a potential to consider a grandfather clause for the R4.

ADJOURN - With no further business to come before the Commission, the meeting adjourned at 8:28 pm