



BOARD OF ADJUSTMENT REGULAR MEETING

City Council Chambers, 448 E. 1st Street, Salida, CO

February 26, 2024 - 6:00 PM

AGENDA

Email public comments to: planning@cityofsalida.com

Please register for the Board of Adjustment meeting: <https://attendee.gotowebinar.com/rt/1909092342220683277>

CALL TO ORDER BY CHAIRMAN

ROLL CALL

APPROVAL OF THE MINUTES

1. December 12, 2023- Draft Minutes

UNSCHEDULED CITIZENS

AMENDMENT(S) TO AGENDA

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. **207 Poncha Blvd. - Variance request** - The applicant's, Brandon and Nina Bonneville, are requesting approval to receive a variance from the minimum setback of eight (8) feet required for the side yard setback of the primary structure. The applicants are requesting minimum allowed side yard setback of 4' for the construction of an addition on the eastern portion of the primary structure.

3. **135 W. First Street-The Sundry- Variance request** - The request is to receive a variance from the maximum building height of 35 feet. The applicant is requesting a maximum allowed height of 38 feet for a portion of the building and 40 feet for an elevator shaft.

BOARD COMMENTS

ADJOURN

****An alternate can only vote on, or make a motion on an agenda item if they are designated as a voting member at the beginning of an agenda item. If there is a vacant seat or a conflict of interest, the Chairman shall designate the alternate that will vote on the matter. If a Voting member shows up late to a meeting, they cannot vote on the agenda item if the alternate has been designated.**



BOARD OF ADJUSTMENT REGULAR MEETING

City Council Chambers, 448 E. 1st Street, Salida, CO
December 12, 2023 - 6:00 PM

MINUTES

Email public comments to: planning@cityofsalida.com

Please register for the Board of Adjustment meeting: <https://attendee.gotowebinar.com/rt/1909092342220683277>

IMMEDIATELY FOLLOWING PLANNING COMMISSION MEETING

CALL TO ORDER BY CHAIRMAN – 6:48

ROLL CALL

PRESENT

Board Member Chairman Greg Follet
Board Member Co-Chair Francie Bomer
Board Member Giff Kriebel
Board Member Judith Dockery
Board Member Michelle Walker
Board Member Brian Colby
Board Member Aaron Derwingson

ABSENT

Alternate Board Member Dan Bush
Alternate Board Member Kenny Layton

APPROVAL OF THE MINUTES

1. August 28, 2023 - Draft Minutes

Motion to approve the minutes made by Board Member Co-Chair Bomer, Seconded by Board Member Dockery.

Voting Yea: Board Member Chairman Follet, Board Member Co-Chair Bomer, Board Member Kriebel, Board Member Dockery, Board Member Walker, Board Member Colby, Board Member Derwingson

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. **Meredith Variance - 148 River Ridge** - The applicant's, Shane and Taline Meredith, are requesting approval to receive a variance from the minimum setback of twenty (20) feet required for the rear yard setback of the primary structure. The applicants are requesting a minimum allowed rear yard setback of 14' to build a single-family residence at 148 River Ridge Lane

BOARD COMMENTS

The applicant, Taline Meredith, rescinded the request for the variance.

ADJOURN The meeting was adjourned at 6:54



STAFF REPORT

MEETING DATE: February 26, 2024
AGENDA ITEM TITLE: 207 Poncha Blvd - Variance Application
AGENDA SECTION: Public Hearing

REQUEST:

The purpose of the request is to receive a variance from the minimum side yard setback for the principal building. Principal buildings in the Single-Family Residential (R-1) zone district require a minimum side yard setback of eight (8) feet for principal buildings.

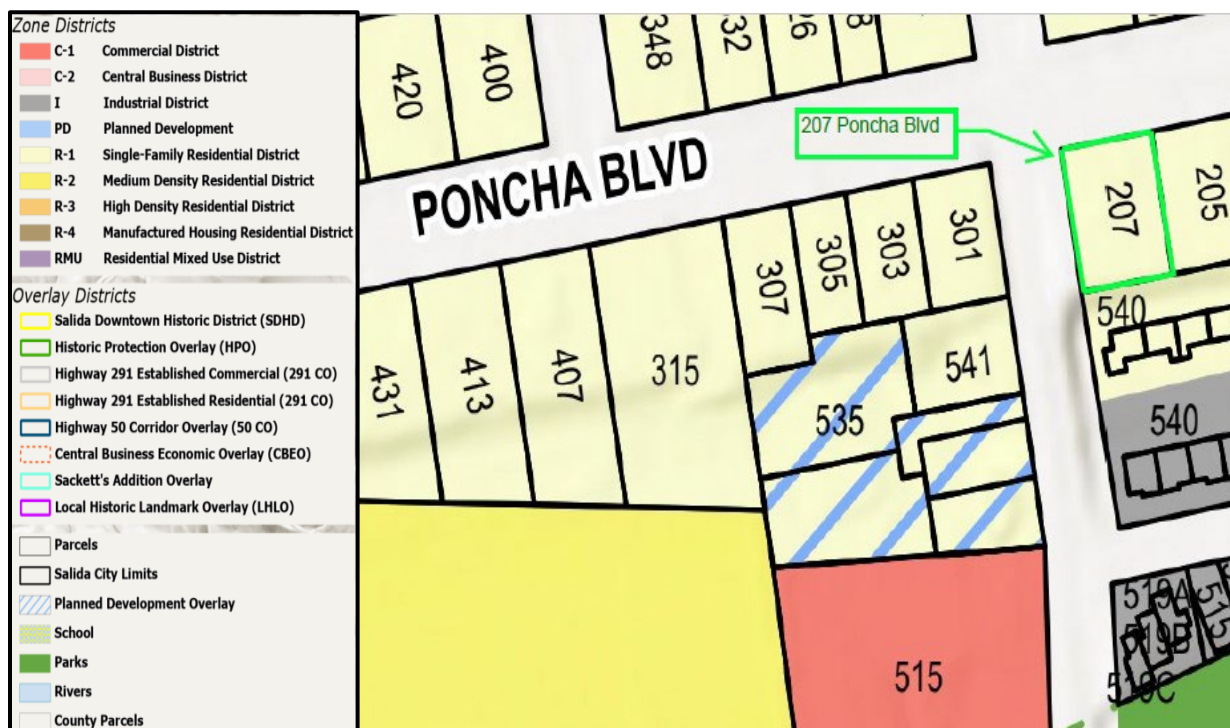
The applicant is requesting minimum allowed side yard setback of 4' for an addition to be constructed on the eastern portion of the principal structure.

APPLICANT:

The applicants are Brandon and Nina Bonneville, 207 Poncha Blvd, Salida, CO 81201.

LOCATION:

The property is legally known as as Lots 15 and 16, Block D, subdivision Eddy Brothers Addition, Salida, Chaffee County, Colorado. The address is 207 Poncha Blvd.



PROCESS:

Variances are addressed in the City's Code of Ordinances, Section 16-4-180, Zoning Variances. Variances may be granted from the standards of the underlying zone district and shall be authorized only for maximum height, minimum floor area, maximum lot coverage, minimum lot size, minimum setbacks, and parking requirements.

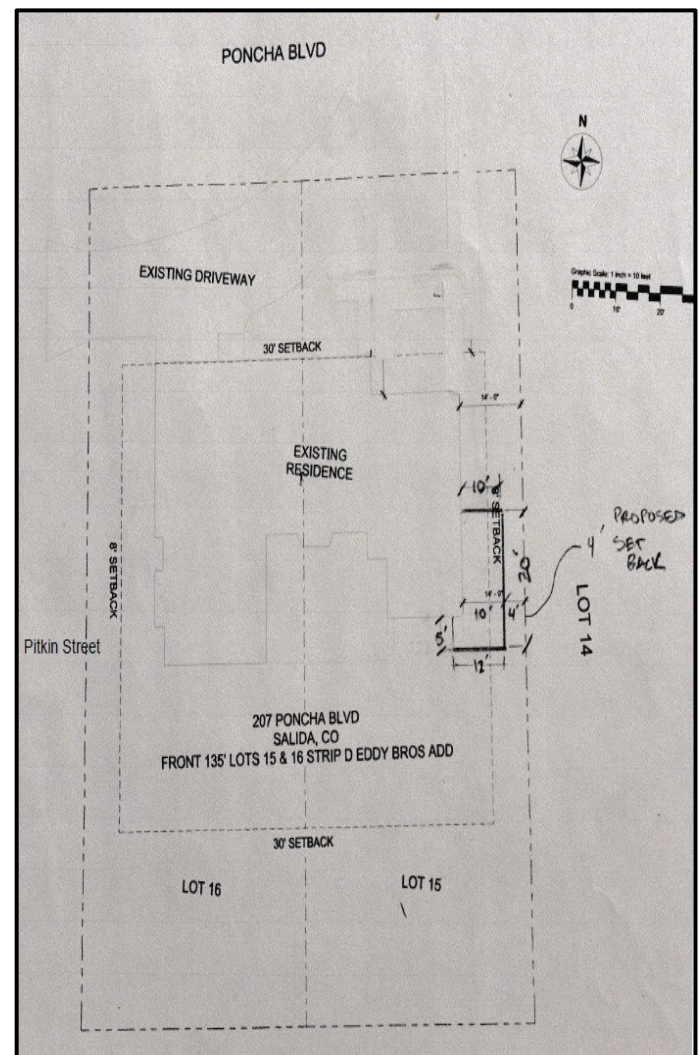
The Board of Adjustment holds a public hearing after fifteen days advance notice of the hearing. The public hearing shall be held, at which any person may appear or be represented by an agent or attorney. The Board may describe appropriate conditions and safeguards in conformity with the Zoning title of the City Code.

OBSERVATIONS:

1. The subject property is located in the Single-Family Residential (R-1) zone district.
2. All other dimensional standards of the property meet the requirements of the R-1 Zone district.
3. Staff received a letter regarding the variance request from the adjacent neighbor in support of the variance.
4. Applicant's reasoning for the request is that this location is ideal for avoiding egress issues and potential drainage issues.

Variance Approval Criteria Section 16-4-180(e): Variances from requirements of this Chapter shall be considered an extraordinary remedy. When considering, reviewing, and deciding on whether to approve a variance application, the Board of Adjustment must find that all the following criteria have been met:

1. Special Circumstances Exist. Strict application of the standards adopted in this Chapter would result in undue hardship or practical difficulties for the owner of such property. Special circumstances include, but are not limited to, exceptional or peculiar limitations to the dimension, shape, or topography of the property, such as slope, standing or moving water, wetlands, floodplain, rock features, narrowness, shallowness or irregular shape of a lot.



Applicant's responses:

Bathroom addition needs to be on the east side in order to avoid blocking egress for existing bedroom. It would also create drainage problems if placed on the south side of the house.

Staff Notes:

- Given the potential for drainage issues and requirement for existing egress, the lot does create a special circumstance requiring the bathroom addition to encroach into the setback. Since there isn't another logical location on the property/structure, staff concludes that this criterion is met.
2. Substantial Detriment. The requested variance would not create a substantial detriment to the public good and would not substantially impair the intent and purpose of this Chapter, this Code or the City's Comprehensive Plan.

Applicant's responses:

The proposed addition will not impact the neighbors or public in any way.

Staff Notes:

- The 4' setback significantly encroaches into the 8' setback required in the R-1 zone district, potentially creating an issue for the adjacent neighbor. However, the neighbor has submitted a letter in support of the variance.
3. Adverse Impacts. The requested variance would not result in significantly adverse impacts to the natural environment or to the surrounding properties and neighborhoods.

Applicant's responses:

The proposed addition will not impact the natural environment or the surrounding properties, there will still be a 4' setback to the side property line.

Staff Notes:

- Staff proposes 4' side setback does not create a significant adverse impact to the natural environment or surrounding properties.
4. Minimum Variance. The granting of the request is the minimum variance necessary for reasonable use of the property or building and the least deviation required from the applicable zoning standard to afford relief.

Applicant's responses:

The requested variance is the minimum necessary to create a usable bathroom.

- Setbacks help provide privacy and to address basic safety issues: distances between buildings decrease the potential damage in case of a fire, provide the room necessary for a homeowner to maintain his/her buildings on his/her own property and provide for solar access and ventilation. Since the neighboring property is meeting the standard setback requirement of at least 8', the addition would be a minimum of 12' in distance away from the neighboring building, adhering to building and fire code standards.

Land Use Code Sec. 16-4-180(f) The Board, in approving the variance, may impose such restrictions and conditions on such approval, and the premises to be developed or used pursuant to such approval, as it determines are required to prevent or minimize adverse effects from the proposed variance on other land in the neighborhood and on the general health, safety and welfare of the City. All conditions imposed upon any variance shall be set forth in the granting of such variance.

REVIEW AGENCIES:

Atoms Energy – Operations Supervisor, Dan Higgins – *“It appears likely that the gas meter will have to be relocated at homeowner’s expense. TBD upon site visit. Homeowner should contact Atmos Energy to confirm. No comment regarding setback adjustment beyond that.”*

Xcel Energy – Design Planner, Sterling S Waugh – No Issues with this variance.

Fire Department – Assistant Fire Chief, Kathy Rohrich – No concerns at this time.

Police Department – Chief, Russ Johnson – No concerns at this time for police department.

Public Works Department – David Lady – This has no impact on Public Works.

Chaffee County Building Department – Deputy Building Official, Chad Chadwick – “Walls built within 5 feet to the fire separation line (property line) must be constructed with a 1 hour fire rating per the International Residential Code. Openings are limited to 25% of wall area. 1 hour fire protected soffit assembly will be required.”

REQUIRED ACTIONS BY THE BOARD:

1. The Board shall confirm that adequate notice was provided.
2. The Board shall conduct a public hearing.
3. The Board shall make the findings whether or not criteria 1 through 4 of the above section are met by the applicant.

POSSIBLE FINDINGS:

Option A: The variance request(s) meet all criteria 1 – 4.

Or

Option B: The variance request(s) do not meet all criteria 1 – 4.

RECOMMENDED MOTION (OPTION A): “I make a motion to approve the 207 Poncha Blvd variance request(s), as they meet all the review criteria for zoning variances.”

RECOMMENDED MOTION (OPTION B): “I make a motion to deny the 207 Poncha Blvd variance requests, as they do not meet all the review criteria for zoning variances.”

BECAUSE THIS APPLICATION IS FOR A VARIANCE, THE SALIDA BOARD OF ADJUSTMENT SHALL MAKE THE FINAL DECISION ON THIS APPLICATION. DECISIONS BY THE BOARD SHALL BE FINAL AND MAY NOT BE APPEALED FURTHER EXCEPT IN COURT.

Attachments: Proof of Publication
Application Materials
Agency Reviews
Public Comment Letters
Letter from Deputy Building Official
Letter from Surveyor Regarding Proposed Structure Coverages

PUBLIC NOTICE

NOTICE OF A PUBLIC HEARING TO BE BEFORE THE BOARD OF ADJUSTMENT FOR THE CITY OF SALIDA CONCERNING A VARIANCE APPLICATION

**TO ALL MEMBERS OF THE PUBLIC
AND INTERESTED PERSONS: PLEASE
TAKE NOTICE:** that on February 26, 2024
at or about the hour of 6:00 p.m., a public
hearing will be conducted by the City of
Salida Board of Adjustment at City Council
Chambers, 448 East First Street, Suite 190,
Salida, Colorado and online at the following
link: [https://attendee.gotowebinar.com/
rt/1909092342220683277](https://attendee.gotowebinar.com/rt/1909092342220683277)

The applicants, Brandon and Nina
Bonneville, are requesting approval for
variances on the property known as Lots 15
and 16, Block D, subdivision Eddy Brothers
Addition, 207 Poncha Blvd, Salida, CO.

The purpose of the request is to receive
a variance from the side yard setback in the
R-1 zone district. Interested persons are
encouraged to attend the public hearing.
Further information on the application
may be obtained from the Community
Development Department, (719) 530-2638.



**PLANNING DEPARTMENT
PROJECT REVIEW TRANSMITTAL FORM**

ATTENTION: Building DepartmentDATE: 01/31/2024

- ☒ Salida Public Works
- ☒ Salida Fire Chief
- ☐ Salida Police Chief
- ☐ Salida Finance Department
- ☐ Salida Sanitation Plant Supervisor
- ☐ Salida Water Plant Supervisor
- ☐ City Consulting Engineer - Streets
- ☐ City Consulting Engineer – Water/Sewer
- ☐ City Attorney
- ☐ Centurylink Communications
- ☒ Atmos Energy
- ☐ Historic Preservation Commission

- ☒ Xcel Energy
- ☐ Charter Communications
- ☐ Chaffee Co. Planning
- ☐ Army Corps of Engineers
- ☐ U.S. Postal Service
- ☐ U.S. Forest Service
- ☐ CO Dept. of Transportation
- ☒ Chaffee Co. Building Dept.
- ☐ School District R-32-J
- ☐ Division of Wildlife
- ☐ Town of Poncha Springs
- Other: _____

APPLICANT: Brandon and Nina Bonneville PHONE: 720-491-0911 FAX: _____EMAIL: brandon.bonneville@gmail.comPROPERTY LOCATION: 207 Poncha Blvd

PROJECT DESCRIPTION: The owners have applied for one variance from the required 8' side yard setback for an accessory structure. The request is to receive a variance from the minimum side setback of eight (8) feet for the proposed bathroom addition. The applicant is requesting a minimum allowed side yard setback of 4' for the addition.

TENTATIVE MEETING DATES:

- ☐ Planning Commission _____ @ _____ P.M.
- ☐ City Council _____ @ _____ P.M.
- ☒ Board of Adjustment 02/26/24 @ 6:00 P.M.

TRANSMITTAL INCLUDES:

- ☒ Application Form/Cover Letter
- ☒ Site Plan
- ☐ Plat
- ☐ Vicinity Map
- ☐ Other: _____

NOTE: A written response, even if only to advise that you have no concerns, is requested.

REPLY: Walls built within 5 feet to the fire separation line (property line) must be constructed with a 1 hour fire rating per the International Residential Code. Openings are limited to 25% of wall area. 1 hour fire protected soffit assembly will be required.

Chad Chadwick

Deputy Building Official

RESPONSE NEEDED BY: 02/14/24

RECEIVED: __CC__

10

PLANNING STAFF: John Armstrong

E: John.Armstrong@cityofsalida.com P: (719) 530-2638



PLANNING DEPARTMENT
PROJECT REVIEW TRANSMITTAL FORM

ATTENTION: _____ DATE: 01/31/2024

- ☒ Salida Public Works
☒ Salida Fire Chief
☐ Salida Police Chief
☐ Salida Finance Department
☐ Salida Sanitation Plant Supervisor
☐ Salida Water Plant Supervisor
☐ City Consulting Engineer - Streets
☐ City Consulting Engineer – Water/Sewer
☐ City Attorney
☐ Centurylink Communications
☒ Atmos Energy
☐ Historic Preservation Commission
- ☒ Xcel Energy
☐ Charter Communications
☐ Chaffee Co. Planning
☐ Army Corps of Engineers
☐ U.S. Postal Service
☐ U.S. Forest Service
☐ CO Dept. of Transportation
☒ Chaffee Co. Building Dept.
☐ School District R-32-J
☐ Division of Wildlife
☐ Town of Poncha Springs
Other: _____

APPLICANT: Brandon and Nina Bonneville PHONE: 720-491-0911 FAX: _____

EMAIL: brandon.bonneville@gmail.com

PROPERTY LOCATION: 207 Poncha Blvd

PROJECT DESCRIPTION: The owners have applied for one variance from the required 8' side yard setback for an accessory structure. The request is to receive a variance from the minimum side setback of eight (8) feet for the proposed bathroom addition. The applicant is requesting a minimum allowed side yard setback of 4' for the addition.

TENTATIVE MEETING DATES:

- ☐ Planning Commission
☐ City Council
☒ Board of Adjustment
- ____ @ ____ P.M.
____ @ ____ P.M.
02/26/24 @ 6:00 P.M.

TRANSMITTAL INCLUDES:

- ☒ Application Form/Cover Letter
☒ Site Plan
☐ Plat
- ☐ Vicinity Map
☐ Other: _____

NOTE: A written response, even if only to advise that you have no concerns, is requested.

REPLY: *It appears likely that the gas meter will have to be relocated @ homeowner's expense. TBD upon site visit. Homeowner should contact Atmos Energy to confirm. No comment re. setback adjustment beyond that.* *D. Higgins*

RESPONSE NEEDED BY: 02/14/24 RECEIVED: _____

PLANNING STAFF: John Armstrong
E: John.Armstrong@cityofsalida.com P: (719) 530-2638



GENERAL DEVELOPMENT APPLICATION

448 East First Street, Suite 112

Salida, CO 81201

Phone: 719-539-4555 Fax: 719-539-5271

Email: planning@cityofsalida.com

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1. TYPE OF APPLICATION (Check-off as appropriate)

- | | |
|--|---|
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Administrative Review:
(Type) <u>VARIANCE</u> |
| <input type="checkbox"/> Pre-Annexation Agreement | |
| <input type="checkbox"/> Appeal Application (Interpretation) | |
| <input type="checkbox"/> Certificate of Approval | <input type="checkbox"/> Limited Impact Review:
(Type) _____ |
| <input type="checkbox"/> Creative Sign Permit | |
| <input type="checkbox"/> Historic Landmark/District | <input type="checkbox"/> Major Impact Review:
(Type) _____ |
| <input type="checkbox"/> License to Encroach | |
| <input type="checkbox"/> Text Amendment to Land Use Code | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Watershed Protection Permit | |
| <input type="checkbox"/> Conditional Use | |

2. GENERAL DATA (To be completed by the applicant)

A. Applicant Information

Name of Applicant: BRANDON & NINA BONNEVILLE

Mailing Address: 207 PONCHA BLVD. SALIDA, CO 81201

Telephone Number: 720-491-0911 FAX: _____

Email Address: BRANDON.BONNEVILLE@GMAIL.COM

Power of Attorney/ Authorized Representative: _____
(Provide a letter authorizing agent to represent you, include representative's name, street and mailing address, telephone number, and FAX)

B. Site Data

Name of Development: LOTS 15 & 16 STRIP D EDDY BROS ADD

Street Address: 207 PONCHA BLVD. SALIDA, CO 81201

Legal Description: Lot 15 & 16 Block D Subdivision EDDY BROS ADD (attach description)

Disclosure of Ownership: List all owners' names, mortgages, liens, easements, judgments, contracts and agreements that run with the land. (May be in the form of a current certificate from a title insurance company, deed, ownership and encumbrance report, attorney's opinion, or other documentation acceptable to the City Attorney)

I certify that I have read the application form and that the information and exhibits herewith submitted are true and correct to the best of my knowledge.

Signature of applicant/agent Blair Bros Building LLC by [Signature] Date 1/10/24

Signature of property owner [Signature] Date 1/8/2024



VARIANCE APPLICATION

448 East First Street, Suite 112

Salida, CO 81201

Phone: 719-530-2626 Fax: 719-539-5271

Email: planning@cityofsalida.com

A. TYPE OF VARIANCE REQUESTED (Fill In Applicable Requests)

1. **Variance from Maximum Height:** Existing Height (in feet): _____ Proposed Height (in feet): _____
2. **Minimum Variance from Floor Area:** Required Floor Area: _____ Proposed Floor Area: _____
3. **Variance from Maximum Lot Coverage:** Allowed Lot Coverage: _____ Proposed Lot Coverage: _____
4. **Variance from Parking Requirements:** Existing Spaces: _____ Required Spaces: _____
Total Spaces Proposed: _____ Percent Reduction Proposed: _____

5. Variance from Minimum Setback Requirements

a. Setback Variance Information:

- i. Type of setback: ☐ Front yard ☐ Rear yard ☒ Side yard
- ii. Which direction: ☐ North ☐ South ☒ East ☐ West
☐ Northeast ☐ Northwest ☐ Southeast ☐ Southwest
- iii. Type of Building: ☒ Principal ☐ Accessory Building
- iv. Current Setback: 14'
- v. Proposed Setback: 4'
- vi. Required Setback: 8'

b. Second Setback Variance Information (if applicable):

- i. Type of setback: ☐ Front yard ☐ Rear yard ☐ Side yard
- ii. Which direction: ☐ North ☐ South ☐ East ☐ West
☐ Northeast ☐ Northwest ☐ Southeast ☐ Southwest
- iii. Type of Building: ☐ Principal ☐ Accessory Building
- iv. Current Setback: _____
- v. Proposed Setback: _____
- vi. Required Setback: _____

6. Variance from Land Use Code Section: 16-4-180

B. DEVELOPMENT PROCESS (City Code Section 16-4-180)

1. Pre-Application Conference. Optional.
2. Submit Application.
3. Staff Review. Schedule Hearing. Forward Report to Applicant and Board.
4. Public Notice Provided For Hearing.
5. Public Hearing Conducted by Board and Action Taken.



C. APPLICATION CONTENTS

A digital copy of all application materials is required.

- ☐ **1. General Development Application**
- ☐ **2. Site Plan.** A site plan of the subject property, showing existing and proposed features, buildings, etc. which are relevant to the review of the application. **The copies shall be accepted on 8½" x 11", 11" x 17" or 24"x 36" paper or electronically.**
- ☐ **3. Required Showing.** The applicant shall indicate the way the proposal meets the required showing as outlined in the application.
- ☐ **4. Public Notice**
 - a) List. A list shall be submitted by the applicant to the city of adjoining property owners' names and addresses. A property owner is considered adjoining if it is within 175 feet of the subject property regardless of public ways. The list shall be created using the current Chaffee County tax records.
 - b) Postage Paid Envelopes. Each name on the list shall be written on a postage-paid envelope. Postage is required for up to one ounce. Return Address shall be: City of Salida, 448 E. First Street, Suite 112, Salida, CO 81201.
 - c) Applicant is responsible for posting the property and submittal of proof of posting the public notice.
- ☐ **5. Application Fee.** \$500 cash or check made out to City of Salida.

D. REQUIRED SHOWING (If necessary, attach additional sheets)

Variance Approval Criteria. Variances from requirements of this Chapter shall be considered an extraordinary remedy. When considering, reviewing and deciding on whether to approve a variance application, the Board of Adjustment must find that all of the following criteria have been met:

1. **Special Circumstances Exist.** Strict application of the standards adopted in this Chapter would result in undue hardship or practical difficulties for the owner of such property. Special circumstances include, but are not limited to, exceptional or peculiar limitations to the dimension, shape or topography of the property, such as slope, standing or moving water, wetlands, floodplain, rock features, narrowness, shallowness or irregular shape of a lot.

Bathroom addition needs to be on East side in order to avoid blocking Egress ~~was~~ for existing bedroom. It would also create drainage problems if placed on the south side of the house.

2. **Substantial Detriment.** The requested variance would not create a substantial detriment to the public good and would not substantially impair the intent and purpose of this Chapter, this Code or the City's Comprehensive Plan.

The proposed addition will not impact the neighbors or public in any way.

3. **Adverse Impacts.** The requested variance would not result in significantly adverse impacts to the natural environment or to the surrounding properties and neighborhoods.

The proposed addition will not impact the natural environment or the surrounding properties. There will still be a 4' setback to the side property line.

- 4. Minimum Variance Necessary for Reasonable Use.** The granting of the request is the minimum variance necessary for reasonable use of the property or building and the least deviation required from the applicable zoning standard to afford relief.

The requested variance is the minimum necessary to create a usable bathroom.

Additional Information:

Please see attached letter from the neighbor to the East. This is likely the only neighbor that will see the completed addition. It will not adversely impact them in any way.

Vic & Paula Veltri
205 Poncha Blvd.
Salida, CO 81201

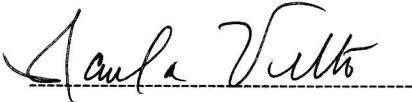
1.2.2024

To whom it may concern,

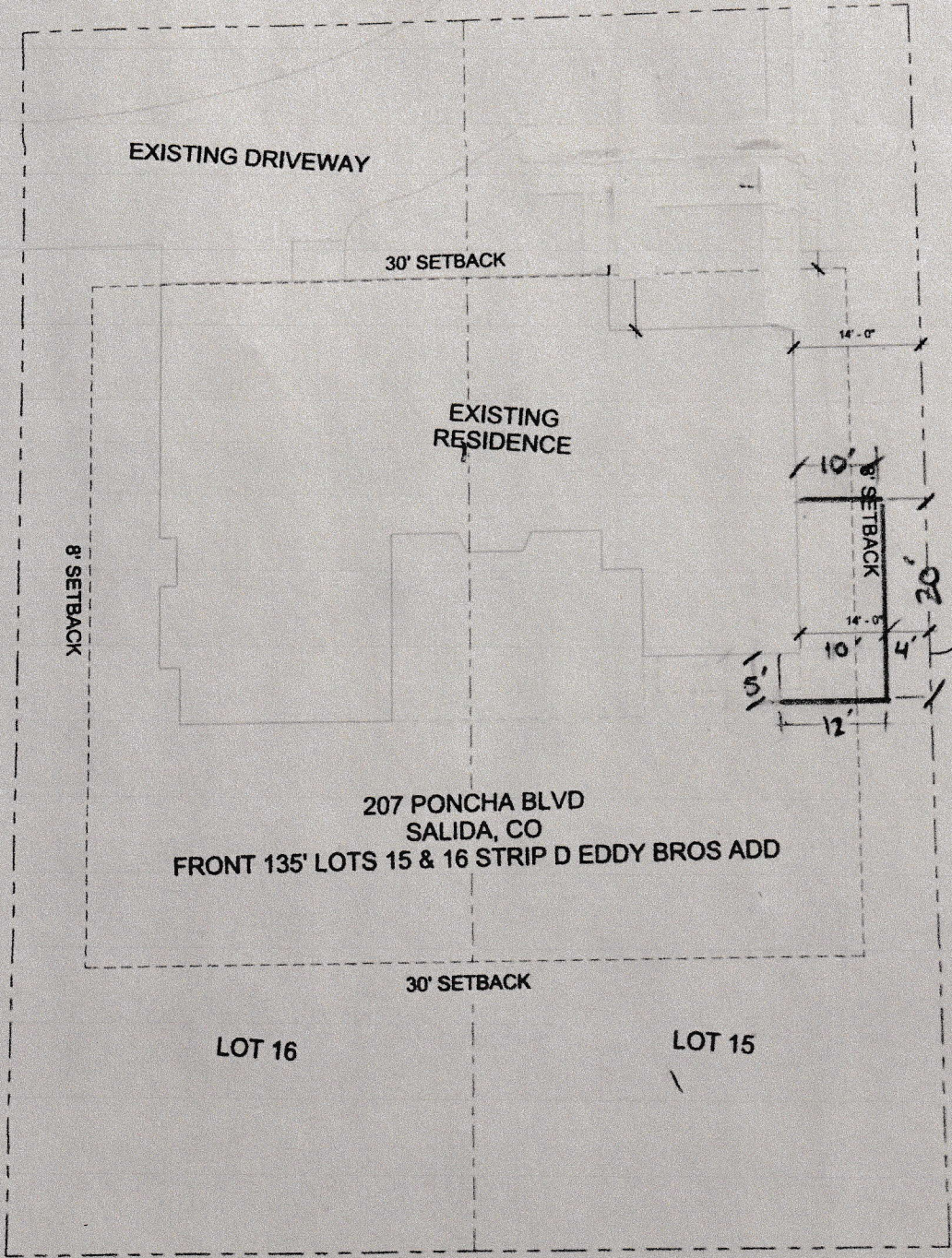
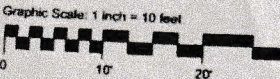
Our direct neighbors to the west, the Bonneville's, who reside at 207 Poncha Boulevard have discussed with us their desire to push out an addition onto their house on the east side of their property that would exceed the current setbacks set forth by the city. We have reviewed their plans and have seen first hand where the proposed addition will be placed. As we are the only neighbor that would be affected in any way by this variance, we are writing this letter to express our approval of this proposed addition. We in no way object to the Bonneville's setback variance request. You may contact us at the phone number below if you have any further questions. We will add that since the Bonneville's purchased their home, they have tirelessly worked to beautify their property thus complimenting the neighborhood as a whole.

Sincerely,

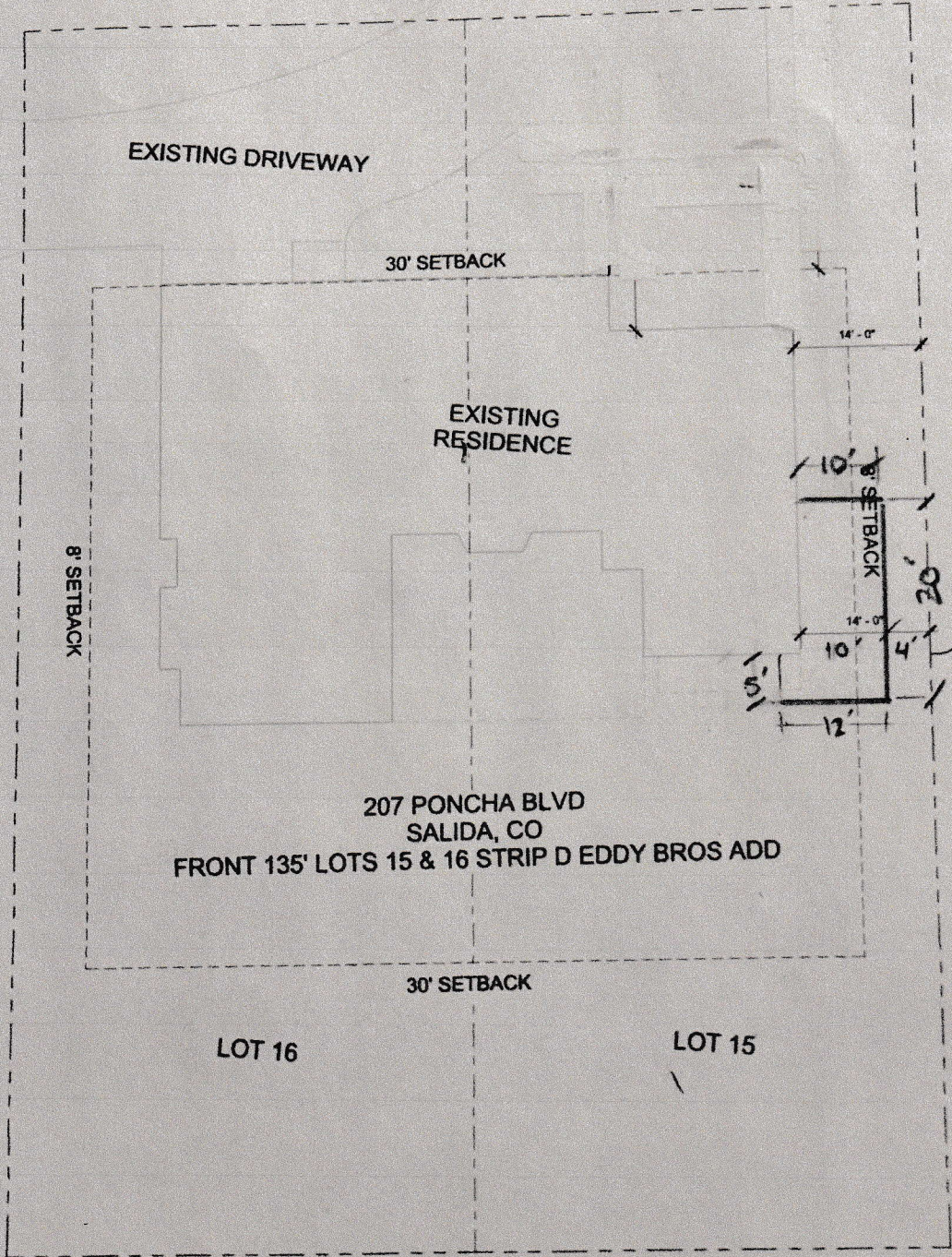
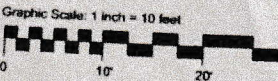
Vic & Paula Veltri
(719) 530-8491



PONCHA BLVD



PONCHA BLVD

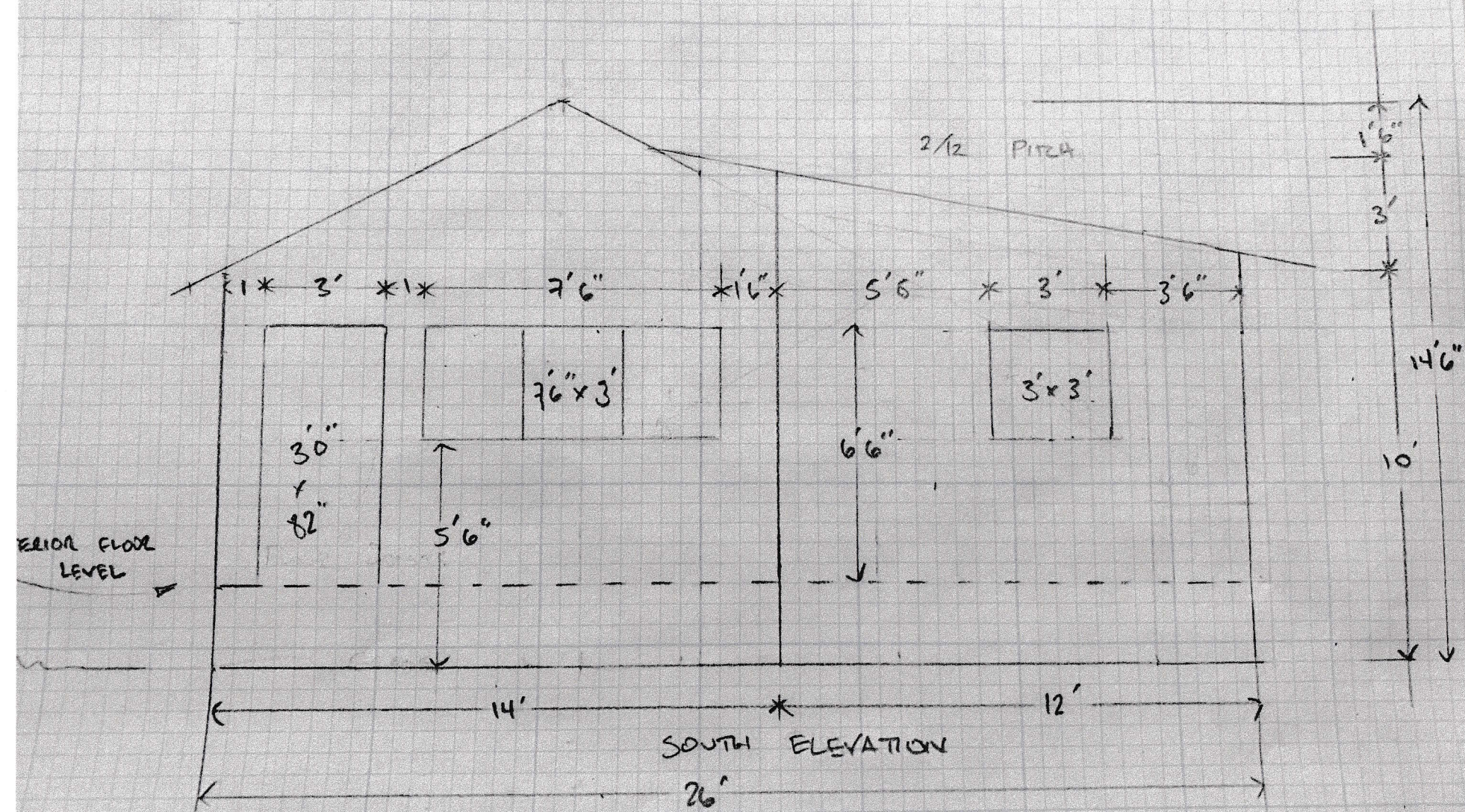


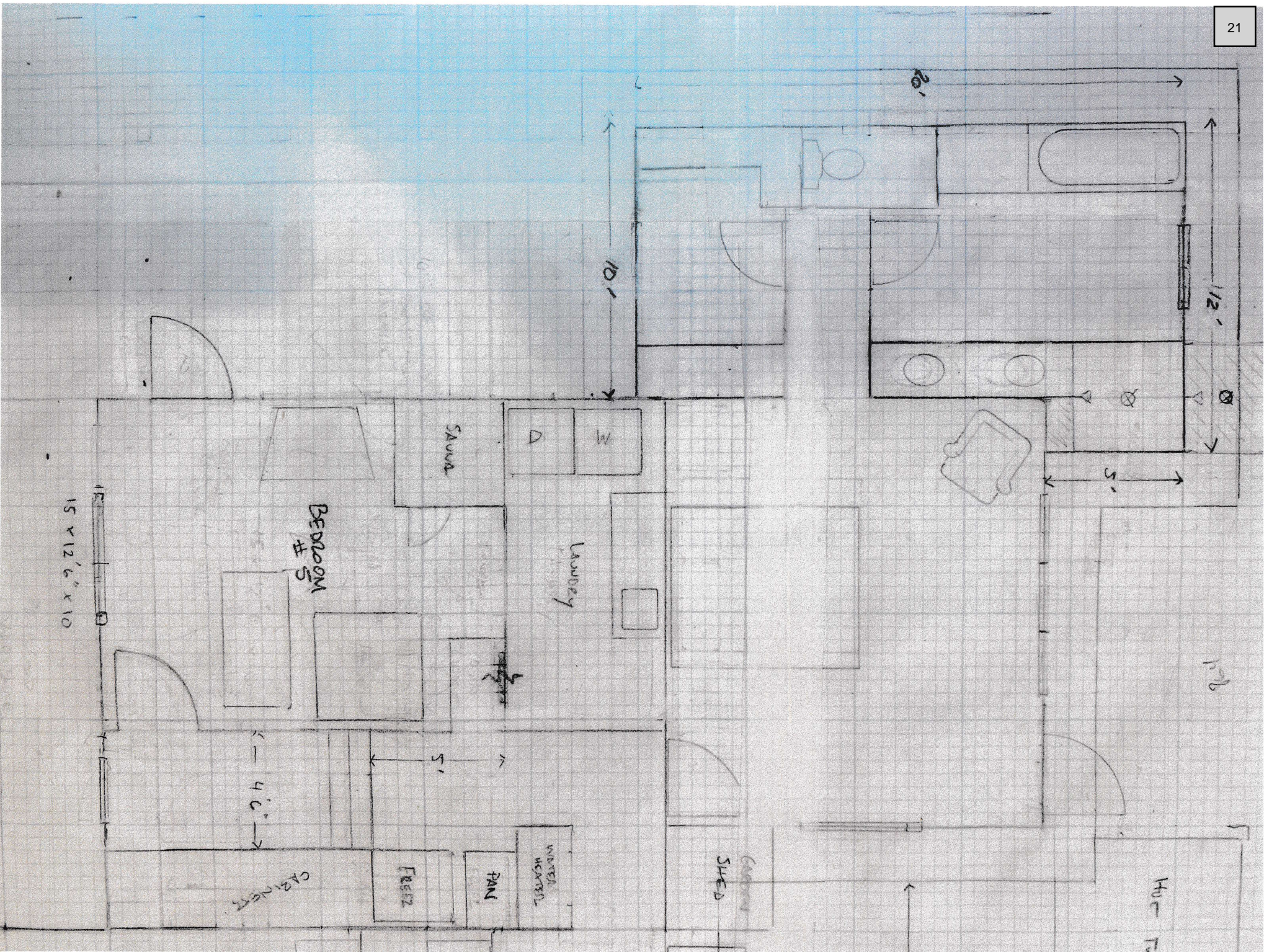
207 PONCHA BLVD
SALIDA, CO
FRONT 135' LOTS 15 & 16 STRIP D EDDY BROS ADD

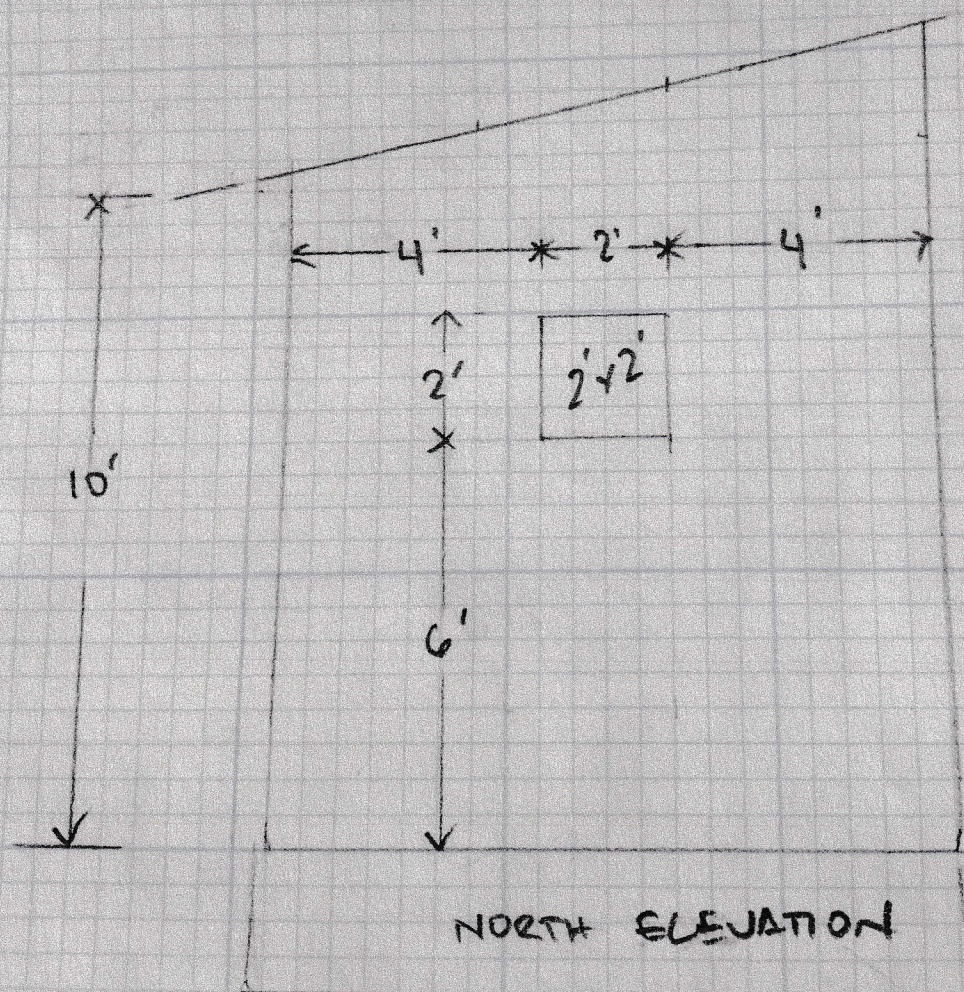
LOT 16

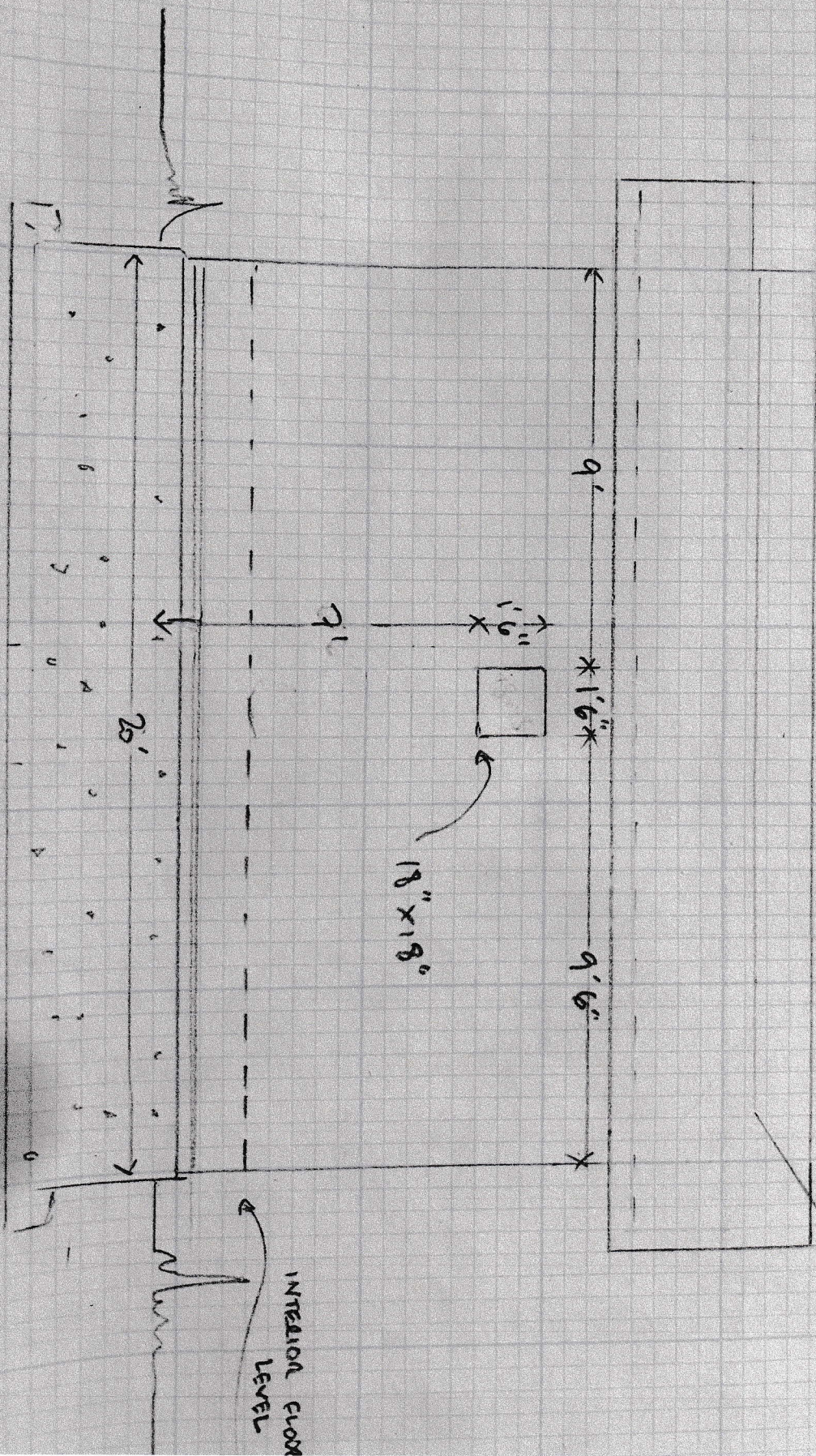
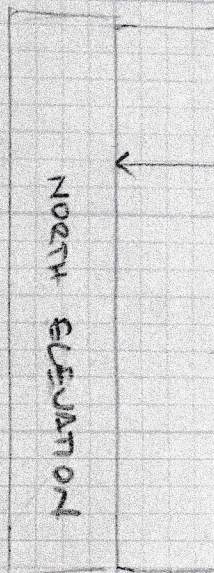
LOT 15

PROPOSED
SET
BACK
LOT 14









EAST ELEVATION



BOARD OF ADJUSTMENT STAFF REPORT

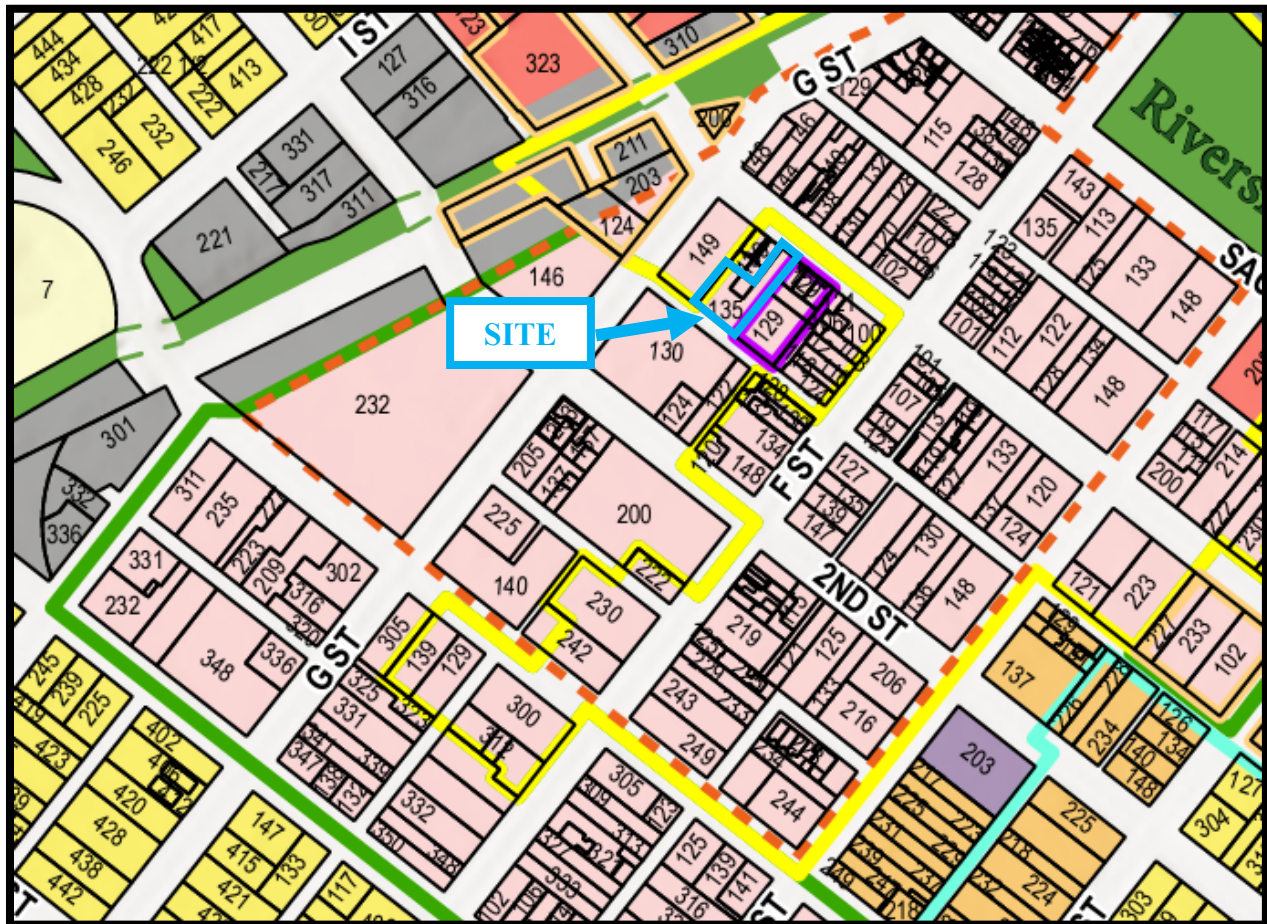
MEETING DATE: February 26, 2024
AGENDA ITEM TITLE: Sundry Variance Application -135 West First Street
AGENDA SECTION: Public Hearing

REQUEST: The request is to receive a variance from the maximum building height of 35 feet in the C-2 Central Business District. The applicant is requesting a maximum allowed height of 38 feet for the rear portion of the building and 40 feet for an elevator shaft towards the center of the building for ADA accessibility.

APPLICANT: The applicant is The Sundry, LLC, represented by Nathan Young.

LOCATION:

The subject property is legally known as Lockett/Sundry Boundary Line Adjustment Block 21, City of Salida, Chaffee County, Colorado. This property is also known as 135 West First Street.



PROCESS:

Variances are addressed in the City's Code of Ordinances, Section 16-4-180, Zoning Variances. Variances may be granted from the standards of the underlying zone district shall be authorized only for maximum height, minimum floor area, maximum lot coverage, maximum lot size, minimum setbacks and parking requirements.

The Board of Adjustment holds a public hearing after fifteen days advance notice of the hearing. The public hearing shall be held, at which any person may appear or be represented by agent or attorney. The Board, in approving the variance, may impose such restrictions and conditions on such approval, and the premises to be developed or used pursuant to such approval, as it determines are required to prevent or minimize adverse effects from the proposed variance on other land in the neighborhood and on the general health, safety and welfare of the City. All conditions imposed upon any variance shall be set forth in the granting of such variance. The Board may make a decision to approve, approve with conditions, deny, or remand the application back to the applicant for modification.

OBSERVATIONS:

1. The subject property is located within the Central Business District (C-2), the Historic Protection Overlay District (HPO), and the Central Business Economic Overlay District (CBEO). Surrounding properties are also within the C-2 zone district and CBEO.
2. The purposes of the zone district and overlays for this property are as follows:



- a. The purpose of the Central Business District is to provide for business and civic functions that make up the City's core. The District has a strong pedestrian character and provides for concentrated commercial activity. It contains a mix of business, commercial and residential uses, and serves the needs of the entire community and of visitors to the community.
- b. The purpose of the Historic Protection Overlay is to provide for the protection of historic character in the areas surrounding the Downtown Historic District and to

ensure that downtown development is compatible with and enhances the historic, cultural and architectural heritage of the City.

- c. The purpose of the Central Business Economic Overlay is to establish standards to preserve and protect the downtown area as a viable commercial district, and to ensure that future development be designed and planned in a manner compatible with those goals.
3. In order to construct a theater with the desired features, such as unobstructed sightlines from the balcony seating area to the stage and screen, good accessibility for patrons, and one that meets the egress requirements, the applicants are requesting a variance from the 35 foot maximum height currently allowed by Code. The request is to be allowed 38 feet in height for the rear portion of the building (shown in purple below) and 40 feet for the elevator shaft for ADA accessibility (shown in blue).

REQUIRED SHOWING (Section 16-4-180(e)):

Variances from requirements of this Chapter shall be considered an extraordinary remedy. When considering, reviewing and deciding on whether to approve a variance application, the Board of Adjustment must find that all of the following criteria have been met:

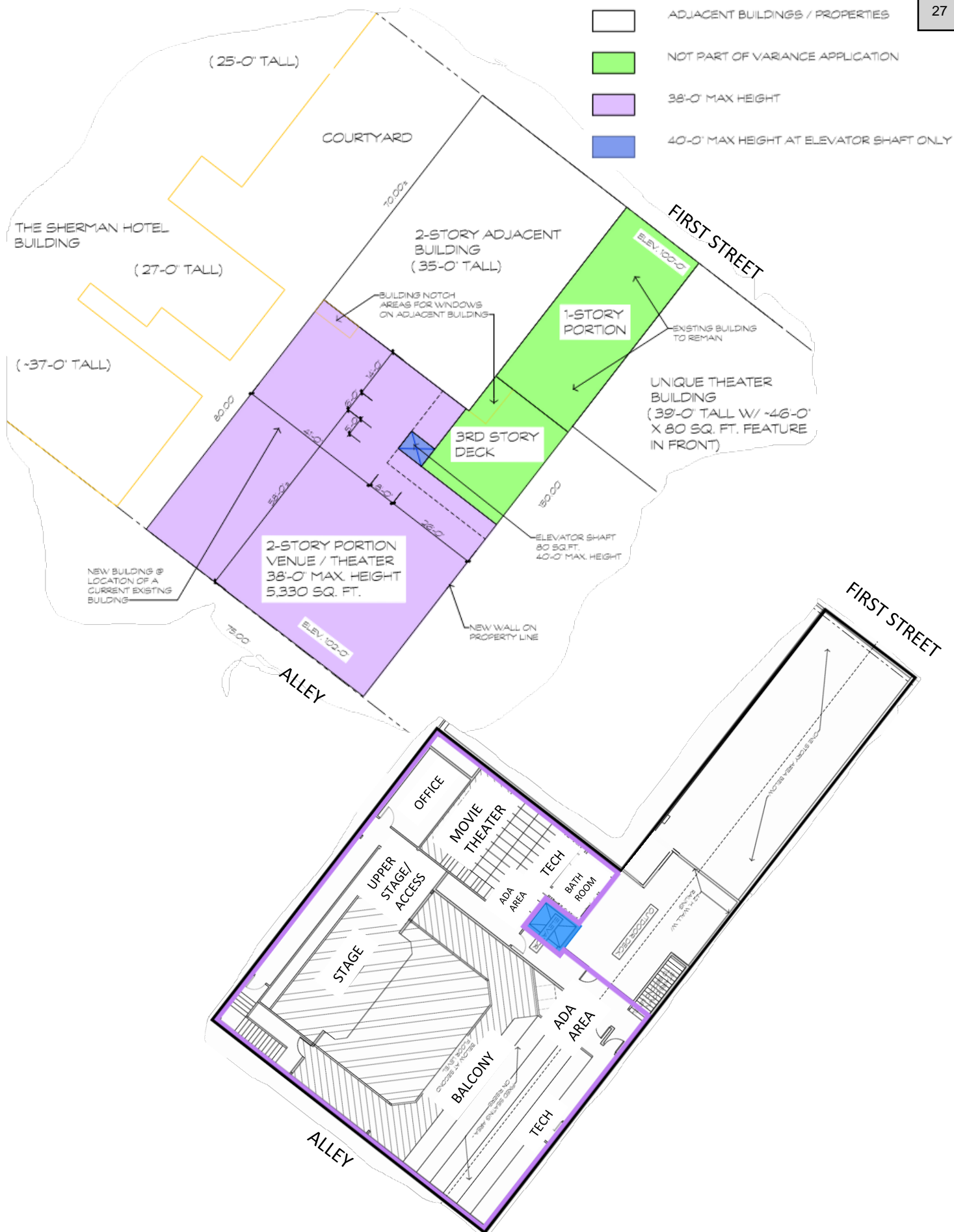
1. **Special circumstances exist such that strict application of the standards adopted in this Chapter would result in undue hardship or practical difficulties for the owner of such property. Special circumstances include, but are not limited to, exceptional or peculiar limitations to the dimension, shape or topography of the property, such as slope, standing or moving water, wetlands, floodplain, rock features, narrowness, shallowness or irregular shape of a lot.**

Applicant's response: *The proposed project is a community oriented live performance venue with two movie theater areas located in the heart of the downtown. The neighbor to the east is the Unique which is 39'-0" tall for the main body with a raised center gable ~ 46'-0" tall. The west neighbor is a two story structure. The subject property is unique for new development in downtown Salida due to its large footprint.*

The subject property has a single 25'-0" lot street presence on First Street. It extends back 150'-0" to the alley. At ~70'-0" it expands its width to 75'-0" behind the neighboring two story building. From the front of the building on First Street to the alley the grade rises 2'-0". To measure building height the LUC definition is used - shown below:

Building height means the distance measured on a vertical plane from the average preconstruction or post-construction grade around the perimeter foundation of a building or structure, whichever is lower, to the highest point on the roof surface of the building or structure.

As a community venue with a higher public occupancy load, the exits are required to be on grade at both the front and rear exits. The venue is located in the back of the lot adjacent to the alley, so the floor in this section needs to be raised to the alley level. Per the LUC height definition, the height is measured on the average of the perimeter grade. In effect the project then loses 1'-0" of overall height for the venue area.



Staff Comments: The special circumstances are twofold; one, that due to the topography of the lot, the larger portion of the lot, which has the space to contain the venue, loses a foot of height based on how height is measured by the Code, and secondly, that this is a unique use with unique requirements to be a successful venue in the Central Business District. Special circumstances exist because a vibrant and functional theater and event venue has specific structural and accessibility needs to meet the expectations of today's audiences and to ultimately be successful.

2. The requested variance would not create a substantial detriment to the public good and would not substantially impair the intent and purpose of this Chapter, this Code or the City's Comprehensive Plan.

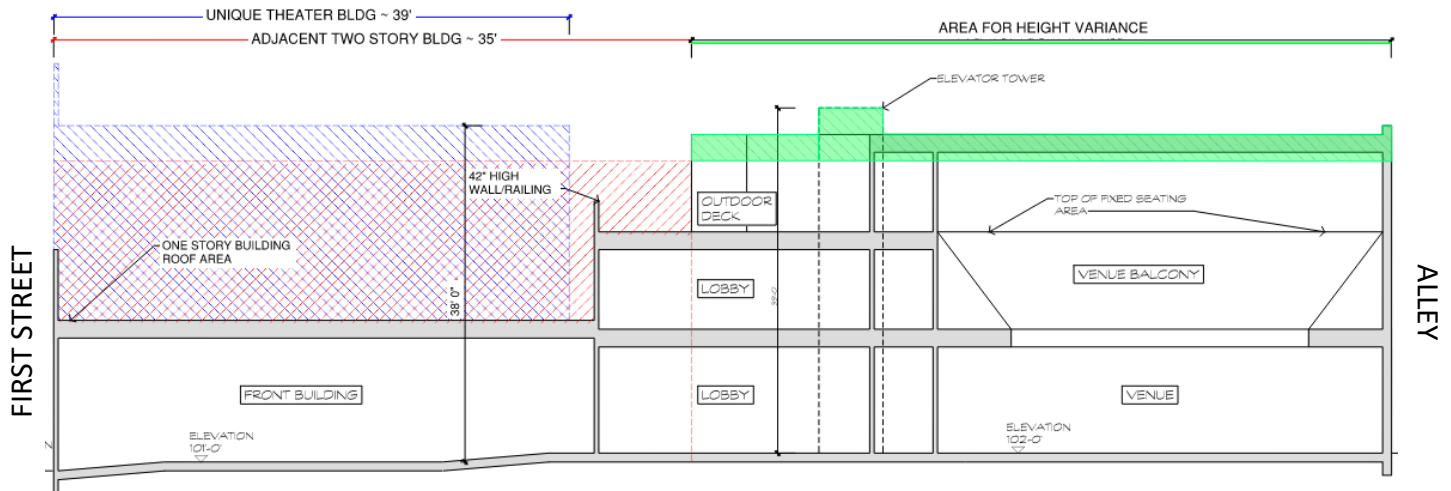
Applicant's response: *The C-2 Central Business District zone promotes concentrated commercial activity that serves the need of the community plus attracts visitors. A community centered indoor multi-purpose venue with an occupant load of 500 and movie theaters is the type of permitted use project that fits right in an active, vibrant downtown. The C-2 zone utilizes zero setbacks for density and a strong pedestrian character.*

Both will be maintained in the proposed project. The Sundry will remodel and update the First Street façade, restoring its historical features with a modern take to compliment the surrounding downtown buildings while maintaining a height that is within a few feet of the existing front. The pedestrian view from the sidewalk will be virtually the same. The rest of the project will replace the current rear portion of the building, starting ~70'-0" back from First Street. The requested height variance areas are located to the rear of the property and out of the public view corridors. See the attached Diagram X1, photos, and 3D views (X2 – X4).

Staff Comments: As stated above in the purpose statements of the three layers of zoning on this property, this proposal will not impair the intent and purpose of the Code, but rather, allow for the intent and purpose to be met in a viable way. This site is intended to provide for concentrated commercial activity that serves the needs of the entire community and of visitors to the community; to ensure development is compatible with and enhances the historic, cultural and architectural heritage of the City; and to ensure that future development is designed to preserve and protect the downtown area as a viable commercial district.

Policy E&S-I.2 of the Comprehensive Plan states that “Zoning should not be an impediment to the Downtown and other areas and should not restrict innovative commercial development.” This variance request will allow the applicant to meet the specifications necessary to provide a viable performance venue that enhances the commercial core of the City.

- 3. The requested variance would not result in significantly adverse impacts to the natural environment or to the surrounding properties and neighborhoods.**



Applicant's response: *The Sundry wants to be a good neighbor and respect the existing conditions of their neighbors as much as possible. For this reason, the taller portion of the project is set to the rear of the property, back from the sides of the neighboring buildings. The front ~70'-0" of the original one-story portion of the building will remain one-story. This allows the existing windows on the south side of the adjacent building to remain and maintain their emergency egress and natural light. This also minimizes any potential negative impact on the neighboring structures. Where the new structure will conflict with two existing neighbor's windows in the rear, The Sundry building will jog in to allow a vertical light/ egress space for the windows. The Sundry owner has already come to an agreement on this with the owner of these two windows. Setting the taller portion of the building to the rear puts the majority of this section back behind the existing two-story neighbor. In between the front one-story section and the back higher venue section will be a two-story transition area with a rooftop deck.*

Staff Comments: The applicant has designed the project with the surrounding properties in mind. There is no requirement that the applicant preserve the adjacent building's egress and natural light as they are allowed to build to 35 feet lot-line to lot-line. Adjacent historic buildings, as well as others in Downtown, are built to the same approximate height and have features in excess of the height requested, therefore the impacts on the neighborhood are akin to the current effects of existing historic buildings and features.

One comment letter was received from the neighborhood and is included in the packet.

4. **The granting of the request is the minimum variance necessary for reasonable use of the property or building and the least deviation required from the applicable zoning standard to afford relief.**

Applicant's response: *The majority of the project will be a live multi-use performance venue. The second level balcony in the venue will double as the larger movie theater with a fixed seating area. A small movie theater with fixed seating will also be located on the second level. Assembly buildings for performance and entertainment require more volume and ceiling height to best provide occupant sightlines to the stage or screen from the seats. To minimize the number of structural columns to allow for larger clear spans for better sightlines, it requires that the structural ceiling and floor members be taller. Also, the mechanical ductwork and fire suppression systems need to serve the area but stay above the view corridors for clear sightlines to the stage. Since the lot has the 2'-0" grade difference from front to back it is the rear venue portion that deals with the loss of 1'-0" from the overall building height maximum. To maintain a proper exit plan, the rear exits need to be on grade with the alley. In effect the variance request for 38'-0" will net the rear portion of the building a 37'-0" overall height. This extra space will allow The Sundry to maintain proper exiting at the alley grade level and a proper line of sight for the public's viewing pleasure.*

Assembly buildings are also required to be accessible. Per accessibility codes, accessibility should be fair and equitable to all of the occupants. Fixed seating areas are required to have accessible seating in the rear 60% of the area. Being able to take the elevator up to the top of the venues will best accommodate the accessible seating areas, allowing for fair and equitable direct travel access. The accessible seating areas at the top of the venues will be at the same level as the roof deck over the two story section of the building. Therefore, the same elevator access will accommodate fair and equitable accessibility to this roof deck for all occupants.

Elevators have a required clear overhead dimension from their last stop of ~12'-7" before a roof system. This makes it impossible to bring an elevator into a lower height compliance in a building of this use. The requested height variance for the 80 sq. ft. of the elevator shaft is 40'-0". As discussed above, this will actually give the elevator 39'-0" to work with. The elevator is located in the center of the project. This shaft will not be visible from the ground level from either First Street or the alley.

Staff Comments: This is the minimum variance needed to create this type of venue with the required accessibility.

REVIEW AGENCY COMMENTS:

Public Works, David Lady – No Concerns

Assistant Fire Chief, Kathy Rohrich – No concerns at this time.

Chaffee County Building Department, Chad Chadwick – No concerns or comments until building plan submittal for examination.

Xcel Energy, Sterling Waugh – No Concerns

Atmos Energy, Dan Higgins - No Response

REQUIRED ACTIONS BY THE BOARD:

1. The Board shall confirm that adequate notice was provided and a fee paid.
2. The Board shall conduct a public hearing.
3. The Board shall make findings that points 1 through 4 of the above section are met by the applicant.

RECOMMENDED FINDINGS:

1. That the variance request is in conformance with Section 16-4-180 (e), Required showing, because special circumstances exist, the variance will not create a substantial detriment, the variance will not result in significantly adverse impacts, granting of the variance request is the minimum variance necessary and is in keeping with the general purposes of the Code.

STAFF RECOMMENDATION:

Staff recommends the Board of Adjustment **APPROVE** the Sundry Variance request to receive a variance from the maximum height of 35 feet to allow up to 40 feet in height for the elevator shaft only, and up to 38 feet in height for the rear portion of the venue.

RECOMMENDED MOTION: “I make a motion to approve the Sundry Variance request as it meets all the review standards for a Zoning Variances, subject to the following condition.

BECAUSE THIS APPLICATION IS FOR A VARIANCE, THE SALIDA BOARD OF ADJUSTMENT SHALL MAKE THE FINAL DECISION ON THIS APPLICATION. THE DECISION OF THE BOARD OF ADJUSTMENT MAY BE APPEALED WITHIN 15 DAYS OF THE DECISION AS SET FORTH IN SECTION 16-2-70 OF THE LAND USE CODE.

Attachments: Application materials
 Proof of Publication
 Citizen Comment Letter



GENERAL DEVELOPMENT APPLICATION

448 East First Street, Suite 112

Salida, CO 81201

Phone: 719-539-4555 Fax: 719-539-5271

Email: planning@cityofsalida.com

1. TYPE OF APPLICATION (Check-off as appropriate)

- | | |
|--|--|
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Administrative Review:
(Type)_____ |
| <input type="checkbox"/> Pre-Annexation Agreement | |
| <input type="checkbox"/> Appeal Application (Interpretation) | <input type="checkbox"/> Limited Impact Review:
(Type)_____ |
| <input type="checkbox"/> Certificate of Approval | |
| <input type="checkbox"/> Creative Sign Permit | <input type="checkbox"/> Major Impact Review:
(Type)_____ |
| <input type="checkbox"/> Historic Landmark/District | |
| <input type="checkbox"/> License to Encroach | <input checked="" type="checkbox"/> Other: <u>Variance Application</u> |
| <input type="checkbox"/> Text Amendment to Land Use Code | |
| <input type="checkbox"/> Watershed Protection Permit | |
| <input type="checkbox"/> Conditional Use | |

2. GENERAL DATA (To be completed by the applicant)

A. Applicant Information

Name of Applicant: The Sundry LLC

Mailing Address: 135 West First Street, Salida, CO 81201

Telephone Number: (719) 530-1177 FAX: _____

Email Address: nathan@sundrysalida.com

Power of Attorney/ Authorized Representative: _____
(Provide a letter authorizing agent to represent you, include representative's name, street and mailing address, telephone number, and FAX)

B. Site Data

Name of Development: The Sundry

Street Address: 135 West First Street

Legal Description: Lot _____ Block 21 Subdivision Lockett/Sundry (attach description) **Please see attached**

Disclosure of Ownership: List all owners' names, mortgages, liens, easements, judgments, contracts and agreements that run with the land. (May be in the form of a current certificate from a title insurance company, deed, ownership and encumbrance report, attorney's opinion, or other documentation acceptable to the City Attorney)

I certify that I have read the application form and that the information and exhibits herewith submitted are true and correct to the best of my knowledge.

Signature of applicant/agent: Nathan Young Date 1-25-2024

Owner & Applicant

Signature of property owner: _____ Date 1-25-2024

Chaffee County, CO

Summary

Parcel Number	368132421002
Account Number	R368132421002
Property Address	135 W FIRST ST SALIDA, CO
Brief Tax Description	LOCKETT/SUNDRY BOUNDARY LINE ADJUSTMENT BLK 21 SALIDA PLAT 486162 REC 473804 486171 EA (Note: Not to be used on legal documents)
Class	Commercial
Subdivision	
Neighborhood	2500
Tax District	District 07
Millage Rate	43.576
Acres	0.176791

Owner Name & Mailing Address

Disclaimer: Mailing address is used for Chaffee County ad-valorem taxation purposes.

Sundry LLC The
Nathan Young
135 W 1st St
Salida, CO 81201

Buildings

Occupancy	Retail Store	Roof Type	Flat
Built As	Theatre - Motion	Roof Cover	
Square Feet	6700	Foundation	24 Concrete
Year Built	1900	Tot # of Rooms	0
Adjusted Year Built	1970	Bed Rooms	0
HVAC	Forced Air	Baths	0
Building Condition	Worn Out	Total Basement Area	0
Building Quality	Average	ExteriorWall	Masonry Common Brick
Interior Stories	1		

Land

Description	Acres	Square Footage
Special Purpose Land	0.176791	7,701.00

Valuation

	2023
Land Value	\$364,569
Building Value	\$186,277
Total Value	\$550,846
Assessed Land Value	\$101,710
Assessed Building Value	\$43,600
Total Assessed Value	\$145,310
Estimated Total Taxes	\$6,332.03

Appeals

Would you like to submit a petition to the Board of Review for the assessment of this property? [Click Here](#) for more information.

Petition to Board of Review

Recent Sales

Sale date range:

From: 01 / 01 / 2023 To: 01 / 29 / 2024

Sales by Neighborhood

1500

Feet

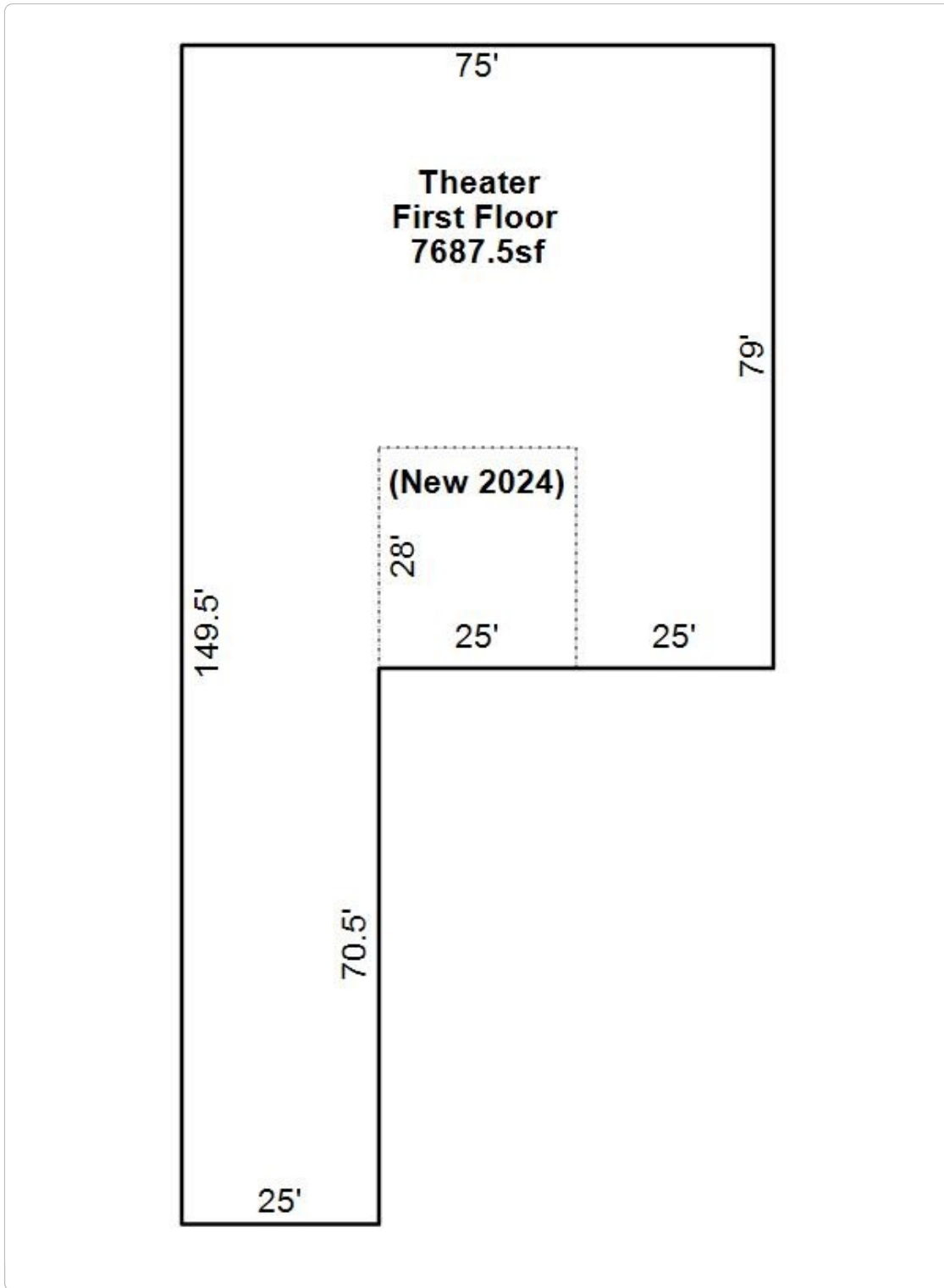


Sales by Distance

Sales

Sale Date	Sale Price	Instrument	Reception Number	Vacant or Improved	Grantor	Grantee
03/14/2023	\$0	Easement-See Notes	486171	Vacant	SUNDRY LLC THE & LOCKETT PROPERTIES LLC	EASEMENT AGREEMENT

Sketches



Comp Report Generator (Commercial)

Start Comp Search

No data available for the following modules: Related Accounts, Photos, Comp Report Generator (Residential), Comp Report Generator (Vacant Land).

The Chaffee County Assessor's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied are provided for the data herein, its use or interpretation. Data is subject to constant change and its accuracy and completeness cannot be guaranteed.

[User Privacy Policy](#) | [GDPR Privacy Notice](#)
Last Data Upload: 1/26/2024, 7:05:20 PM

Contact Us

Developed by
Schneider
GEOSPATIAL



VARIANCE APPLICATION

448 East First Street, Suite 112

Salida, CO 81201

Phone: 719-530-2626 Fax: 719-539-5271

Email: planning@cityofsalida.com

A. TYPE OF VARIANCE REQUESTED (Fill In Applicable Requests)

1. **Variance from Maximum Height:** Existing Height (in feet): _____ Proposed Height (in feet): 38'/40' elevator only
2. **Minimum Variance from Floor Area:** Required Floor Area: _____ Proposed Floor Area: _____
3. **Variance from Maximum Lot Coverage:** Allowed Lot Coverage: _____ Proposed Lot Coverage: _____
4. **Variance from Parking Requirements:** Existing Spaces: _____ Required Spaces: _____
Total Spaces Proposed: _____ Percent Reduction Proposed: _____
5. **Variance from Minimum Lot Size:** Existing Lot Size: _____ Proposed Lot Size: _____
6. **Variance from Minimum Setback Requirements**
 - a. Setback Variance Information:
 - i. Type of setback: ☐ Front yard ☐ Rear yard ☐ Side yard
 - ii. Which direction: ☐ North ☐ South ☐ East ☐ West
☐ Northeast ☐ Northwest ☐ Southeast ☐ Southwest
 - iii. Type of Building: ☐ Principal ☐ Accessory Building
 - iv. Current Setback: _____
 - v. Proposed Setback: _____
 - vi. Required Setback: _____
 - b. Second Setback Variance Information (if applicable):
 - i. Type of setback: ☐ Front yard ☐ Rear yard ☐ Side yard
 - ii. Which direction: ☐ North ☐ South ☐ East ☐ West
☐ Northeast ☐ Northwest ☐ Southeast ☐ Southwest
 - iii. Type of Building: ☐ Principal ☐ Accessory Building
 - iv. Current Setback: _____
 - v. Proposed Setback: _____
 - vi. Required Setback: _____
7. **Variance from Land Use Code Section:** 16-4-180

B. DEVELOPMENT PROCESS (City Code Section 16-4-180)

1. Pre-Application Conference. *Optional*.
2. Submit Application.
3. Staff Review. Schedule Hearing. Forward Report to Applicant and Board.
4. Public Notice Provided For Hearing.
5. Public Hearing Conducted by Board and Action Taken.



C. APPLICATION CONTENTS

A digital copy of all application materials is required.

- ✓ 1. **General Development Application**
- ✓ 2. **Site Plan.** A site plan of the subject property, showing existing and proposed features, buildings, etc. which are relevant to the review of the application. **The copies shall be accepted on 8½" x 11", 11" x 17" or 24"x 36" paper or electronically.**
- ✓ 3. **Required Showing.** The applicant shall indicate the way the proposal meets the required showing as outlined in the application.
- ✓ 4. **Public Notice**
 - a) List. A list shall be submitted by the applicant to the city of adjoining property owners' names and addresses. A property owner is considered adjoining if it is within 175 feet of the subject property regardless of public ways. The list shall be created using the current Chaffee County tax records.
 - b) Postage Paid Envelopes. Each name on the list shall be written on a postage-paid envelope. Postage is required for up to one ounce. Return Address shall be: City of Salida, 448 E. First Street, Suite 112, Salida, CO 81201.
 - c) Applicant is responsible for posting the property and submittal of proof of posting the public notice.
- ✓ 5. **Application Fee:** According to current adopted fee schedule.

D. REQUIRED SHOWING (If necessary, attach additional sheets)

Variance Approval Criteria. Variances from requirements of this Chapter shall be considered an extraordinary remedy. When considering, reviewing and deciding on whether to approve a variance application, the Board of Adjustment must find that all of the following criteria have been met:

1. Special Circumstances Exist. Strict application of the standards adopted in this Chapter would result in undue hardship or practical difficulties for the owner of such property. Special circumstances include, but are not limited to, exceptional or peculiar limitations to the dimension, shape or topography of the property, such as slope, standing or moving water, wetlands, floodplain, rock features, narrowness, shallowness or irregular shape of a lot.
Please see attached.

2. Substantial Detriment. The requested variance would not create a substantial detriment to the public good and would not substantially impair the intent and purpose of this Chapter, this Code or the City's Comprehensive Plan.
Please see attached.

3. Adverse Impacts. The requested variance would not result in significantly adverse impacts to the natural environment or to the surrounding properties and neighborhoods.
Please see attached.

4. Minimum Variance Necessary for Reasonable Use. The granting of the request is the minimum variance necessary for reasonable use of the property or building and the least deviation required from the applicable zoning standard to afford relief.

Please see attached.

Additional Information:

Please see attached.

The Sundry

135 West First Street, Salida, CO 81201

January 25, 2024

The variance request is for a variance from the overall height. The LUC required height is 35'-0". This request is for the height of the rear portion of the project to be a maximum of 38'-0" with a maximum 40'-0" for the elevator shaft. See attached Diagram 1X1.

Variance Approval Criteria.

1. Special Circumstances Exist.

The proposed project is a community oriented live performance venue with two movie theater areas located in the heart of the downtown. The neighbor to the east is the Unique which is 39'-0" tall for the main body with a raised center gable ~ 46'-0" tall. The west neighbor is a two story structure. The subject property is unique for new development in downtown Salida due to its large footprint.

The subject property has a single 25'-0" lot street presence on F Street. It extends back 150'-0" to the alley. At ~70'-0" it expands its width to 75'-0" behind the neighboring two story building. From the front of the building on F Street to the alley the grade rises 2'-0". To measure building height the LUC definition is used - shown below:

Building height means the distance measured on a vertical plane from the average preconstruction or post-construction grade around the perimeter foundation of a building or structure, whichever is lower, to the highest point on the roof surface of the building or structure.

As a community venue with a higher public occupancy load, the exits are required to be on grade at both the front and rear exits. The venue is located in the back of the lot adjacent to the alley, so the floor in this section needs to be raised to the alley level. Per the LUC height definition, the height is measured on the average of the perimeter grade. In effect the project then loses 1'-0" of overall height for the venue area.

2. Substantial Detriment.

The C-2 Central Business District zone promotes concentrated commercial activity that serves the need of the community plus attracts visitors. A community centered indoor multi-purpose venue with an occupant load of 500 and movie theaters is the type of permitted use project that fits right in an active, vibrant downtown. The C-2 zone utilizes zero setbacks for density and a strong pedestrian character. Both will be maintained in the proposed project. The Sundry will remodel and update the F Street façade, restoring its historical features with a modern take to compliment the surrounding downtown buildings while maintaining a height that is within a few feet of the existing front. The pedestrian view from the sidewalk will be virtually the same. The rest of the project will replace the current rear portion of the building, starting ~70'-0" back from First Street. The requested height variance areas are located to the rear of the property and out of the public view corridors. See the attached Diagram 1X1, photos, and 3D views (X2 – X4).

3. **Adverse Impacts.**

The Sundry wants to be a good neighbor and respect the existing conditions of their neighbors as much as possible. For this reason, the taller portion of the project is set to the rear of the property, back from the sides of the neighboring buildings. The front ~70'-0" of the original one-story portion of the building will remain one-story. This allows the existing windows on the south side of the adjacent building to remain and maintain their emergency egress and natural light. This also minimizes any potential negative impact on the neighboring structures. Where the new structure will conflict with two existing neighbor's windows in the rear, The Sundry building will jog in to allow a vertical light/ egress space for the windows. The Sundry owner has already come to an agreement on this with the owner of these two windows. Setting the taller portion of the building to the rear puts the majority of this section back behind the existing two-story neighbor. In between the front one-story section and the back higher venue section will be a two-story transition area with a rooftop deck.

4. **Minimum Variance Necessary for reasonable Use.**

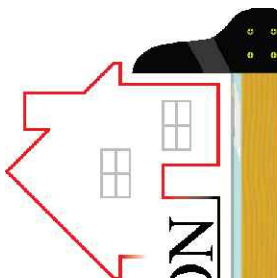
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Assembly buildings are also required to be accessible. Per accessibility codes, accessibility should be fair and equitable to all of the occupants. Fixed seating areas are required to have accessible seating in the rear 60% of the area. Being able to take the elevator up to the top of the venues will best accommodate the accessible seating areas, allowing for fair and equitable direct travel access. The accessible seating areas at the top of the venues will be at the same level as the roof deck over the two story section of the building. Therefore, the same elevator access will accommodate fair and equitable accessibility to this roof deck for all occupants.

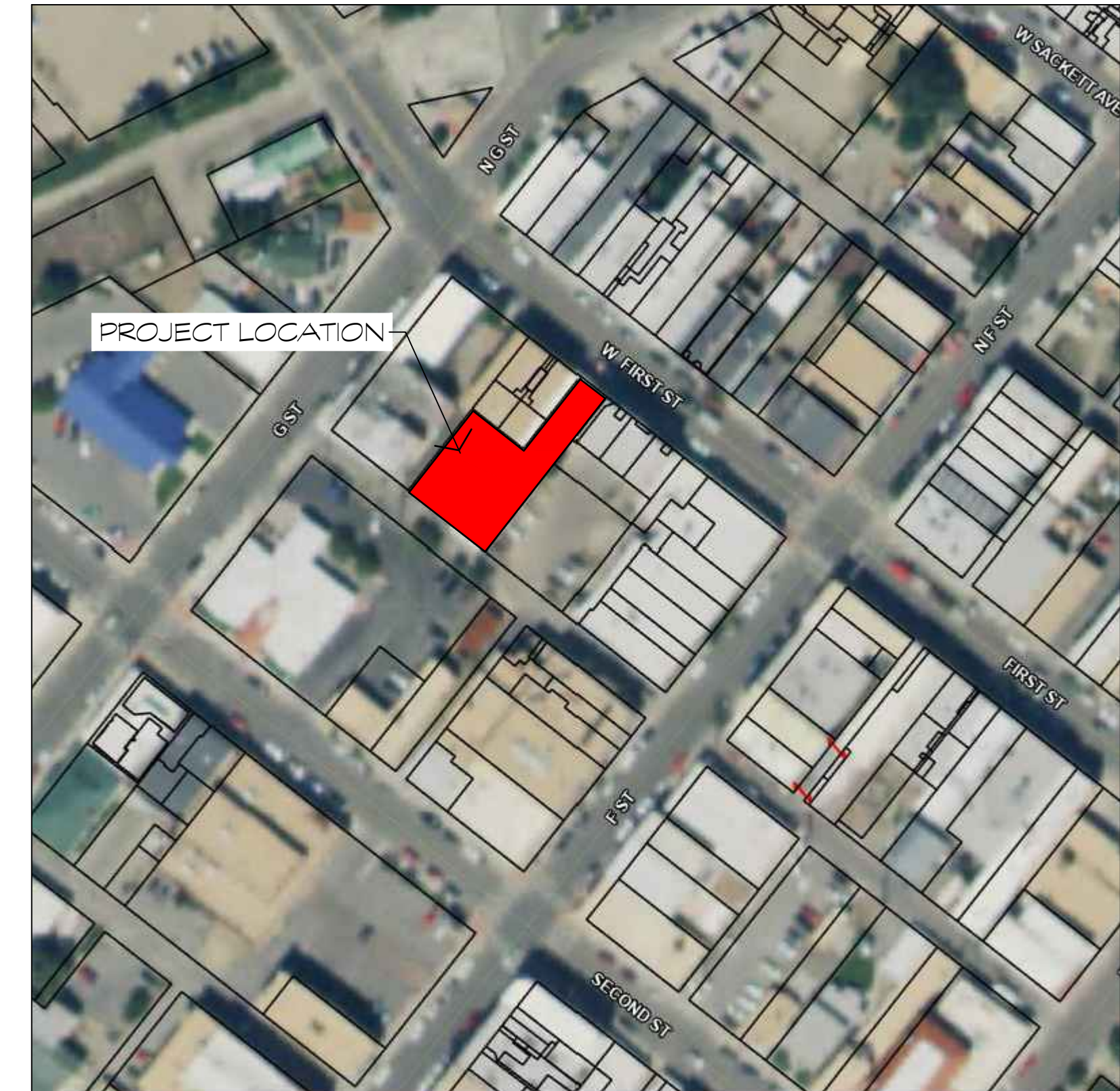
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DATE: 1/29/2024

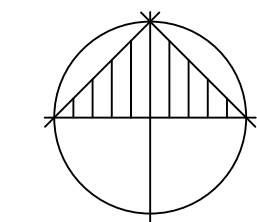
DRAWN BY: P.G.
CHECKED BY: S.W.



SARAH F. WHITTINGTON
ARCHITECTURAL SERVICES
129 1/2 W. 3rd Street #5
Salida, CO 81201
sarah@salidaarchitect.com
p:719.539.5461



2 VICINITY LOCATION MAP
N.T.S.



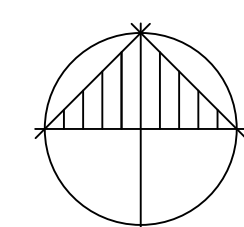
The Sundry
135 West First Street - Salida, CO 81201

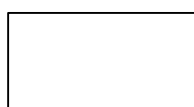



BUILDING SITE
DIAGRAM
VICINITY
LOCATION MAP

X1
1 OF 4

JOB # 23032.82

1 BUILDING SITE DIAGRAM
1" = 10'-0"



	ADJACENT BUILDINGS / PROPERTIES
	NOT PART OF VARIANCE APPLICATION
	38'-0" MAX HEIGHT
	40'-0" MAX HEIGHT AT ELEVATOR SHAFT ONLY



1 FIRST STREET VIEW 1

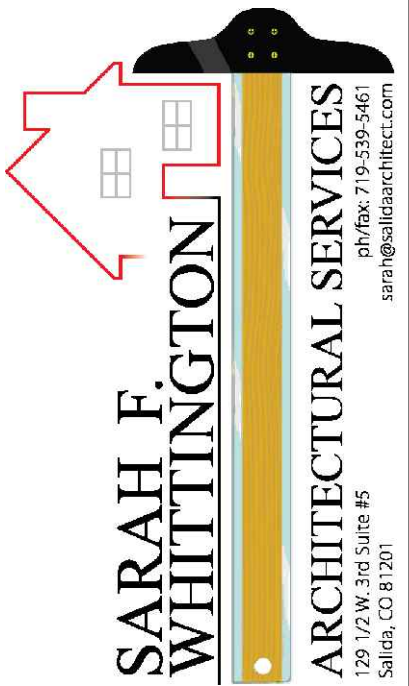


2 FIRST STREET VIEW 2



DATE: 1/29/2024

DRAWN BY: P.G.
CHECKED BY: S.W.



The Sundry
135 West First Street - Salida, CO 81201

PHOTOS WITH 3D
PROJECT
MODELS

X2

2 OF 4

JOB # 23032.82



1 FIRST STREET VIEW 3

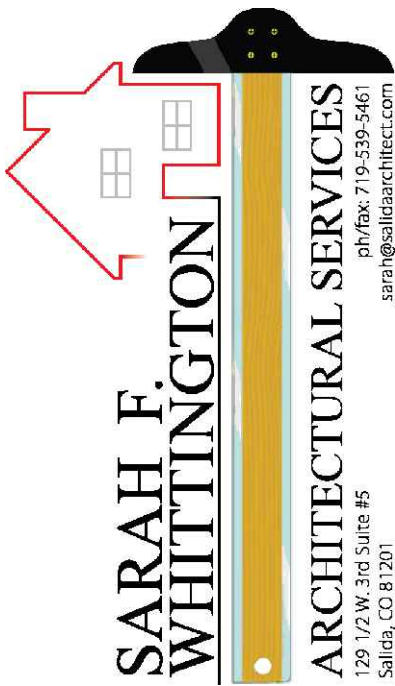


2 FIRST STREET VIEW 4



DATE: 1/29/2024

DRAWN BY: P.G.
CHECKED BY: S.W.



The Sundry
135 West First Street - Salida, CO 81201

PHOTOS WITH 3D
PROJECT
MODELS

X3

3 OF 4

JOB # 23032.82

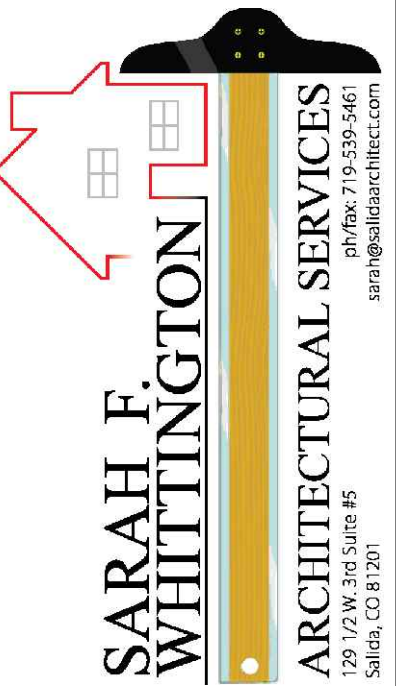


1 FIRST STREET VIEW 5



DATE: 1/29/2024

DRAWN BY: P.G.
CHECKED BY: S.W.



The Sundry
135 West First Street - Salida, CO 81201

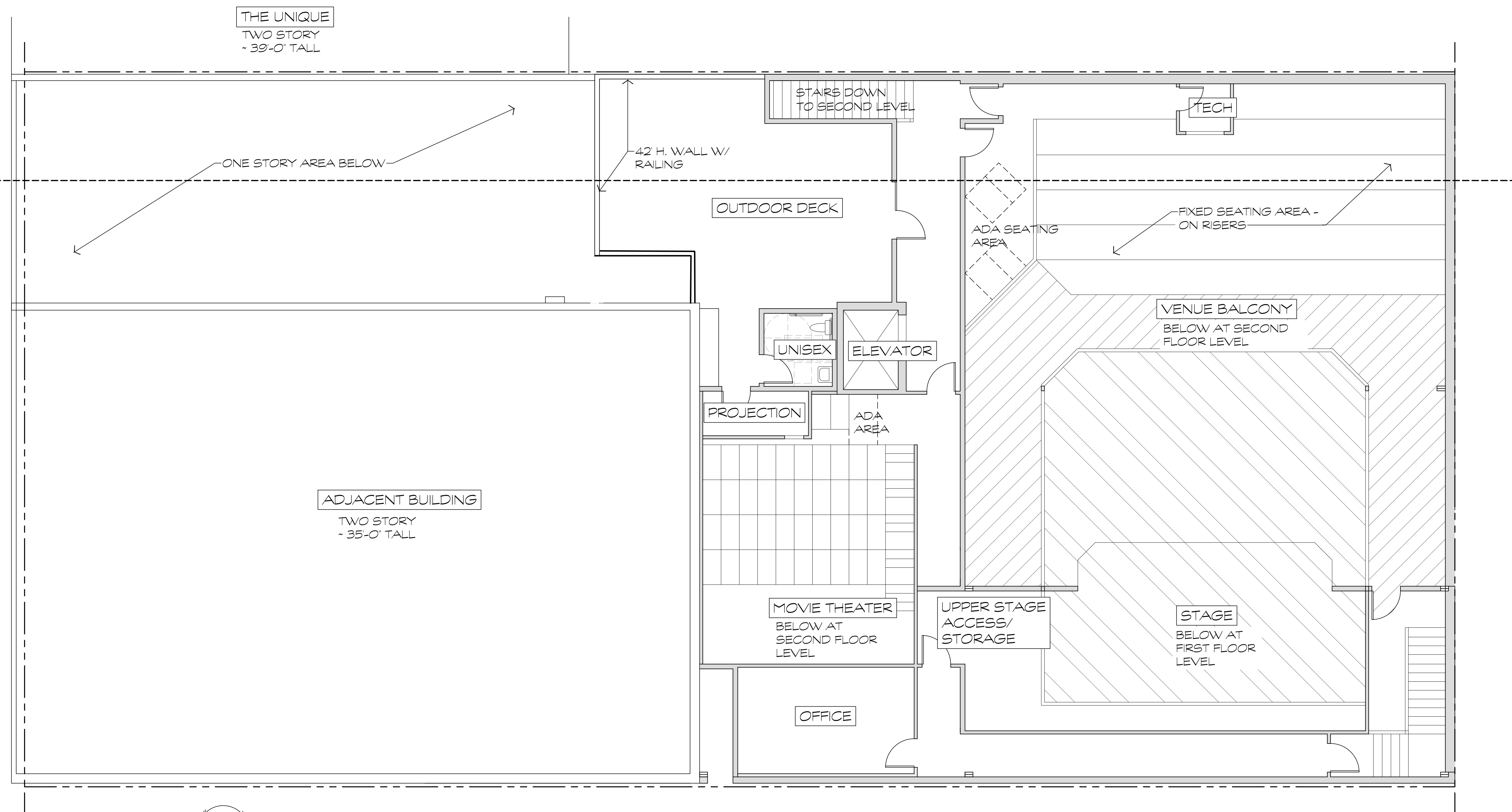
PHOTOS WITH 3D
PROJECT
MODELS

X4

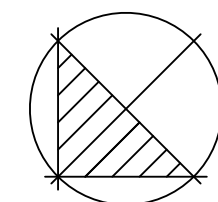
4 OF 4

JOB # 23032.82

CROSS SECTION
DRAWING 2



1 THIRD FLOOR PLAN
 $\frac{3}{16}" = 1'-0"$

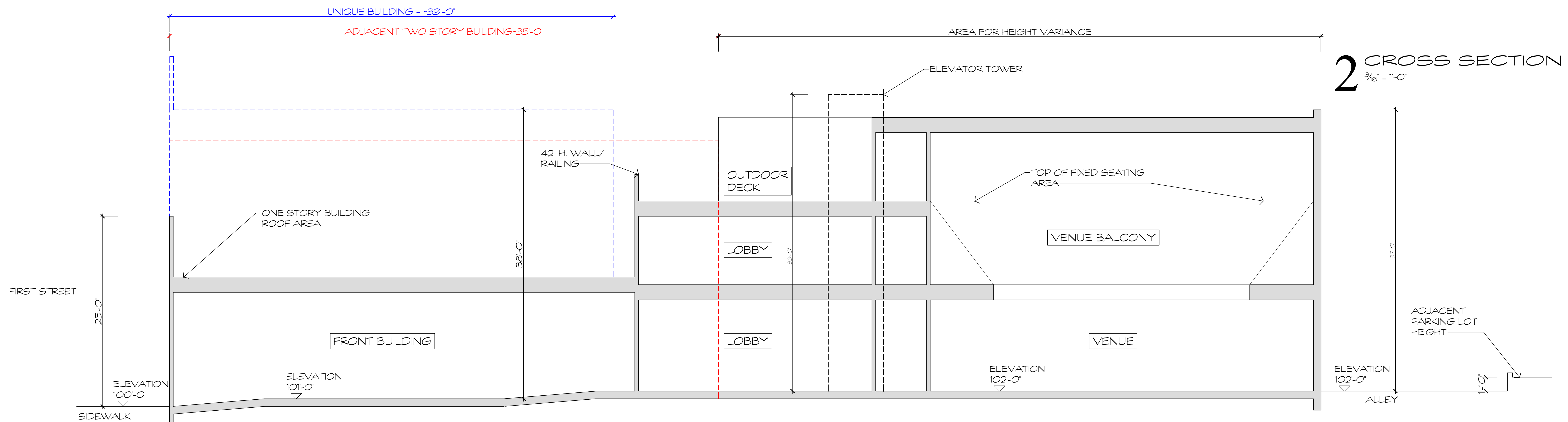


DATE: 2/5/2024

DRAWN BY: P.G.
CHECKED BY: S.W.

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The Sundry
135 West First Street
Salida, CO 81201



**PUBLIC NOTICE
NOTICE OF A PUBLIC HEARING DATE
BEFORE THE BOARD OF ADJUSTMENT
FOR THE CITY OF SALIDA CONCERNING
A VARIANCE APPLICATION**

**TO ALL MEMBERS OF THE PUBLIC
AND INTERESTED PERSONS: PLEASE
TAKE NOTICE:** that on February 26, 2024
at or about the hour of 6:00 p.m., a public
hearing will be conducted by the City of
Salida Board of Adjustment at City Council
Chambers, 448 East First Street, Suite 190,
Salida, Colorado and online at the following
link: [https://attendee.gotowebinar.com/
rt/1909092342220683277](https://attendee.gotowebinar.com/rt/1909092342220683277)

The applicant, Nathan Young of The
Sundry, LLC, is requesting approval for a
variance on the property at 135 West First
Street, Salida, CO, legally known as Lockett/
Sundry Boundary Line Adjustment Block 21.
The purpose of the request is to receive a
variance from the 35-foot height requirement
in the C-2 zone district to allow a portion of
the structure up to 38 feet and an elevator
shaft up to 40 feet. Interested persons are
encouraged to attend the public hearing.
Further information on the application
may be obtained from the Community
Development Department, (719) 530-2631.

*Please note that it is inappropriate to
personally contact individual City Councilors
or Planning Commissioners, outside of
the public hearing, while an application is
pending. Such contact is considered ex
parte communication and will have to be
disclosed as part of the public hearings
on the matter. If you have any questions/
comments, you should email or write a letter
to staff, or present your concerns at the
public meeting via the above GoToWebinar
link so your comments can be made part of
the record.

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2024

Merrell Bergin
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mberginco@gmail.com

February 23, 2024

Kathryn Dunleavy
 Planner
 City of Salida
 448 East Fiursat Street
 Salida, CO 81201

Re: BOA Variance Hearing, The Sundry

Kathryn,

This letter is to express concerns regarding the requested variance for The Sundry that I to hope to have clarified when I appear on Feb. 26.

First, I met today with Nathan Young to review the full application set of drawings.

Concerns:

1. The compressed drawing showing the third floor plan, cross-hatched to lower floors and cross section view are extremely difficult to follow. Geographic orientation is ambiguous.
 - a. At the hearing, the owner and their representatives need to clearly show the Board what the design intent is and impact on all four sides.
 - b. If clearer drawings are not presented at the hearing, I ask that the matter be continued until such time as better visuals are available.
 - c. The height variance is key to equitable accessibility but may be the only control point in this project.
2. Parking is a major concern both for customers/patrons and for alley access and safety.
 - a. Code 16-8-80 (a) seems to indicate that parking minimums do not apply in the Central Business Overlay. This needs to be verified.
 - i. If so, how will neighbors, residents, and customers deal with even 100-200 vehicles attending an event for a venue with a maximum capacity of 500, with a common arrival and departure time without any provision for adjacent, offsite, leased parking.
 - ii. There is exactly one (1) handicap parking space in the site block, with two (2) additional at F and First. Applicant seeks

to make the entire venue equitably accessible. How will parking work for that?

- b. Alley access is critical in this block, especially in daytime hours. Trash, foodservice and delivery vehicles are already in conflict with each other. Besides unloading, they interfere with resident and business owner parking and their driveways.
- c. Illegal parking in the alley by patrons will be an enforcement nightmare.
- d. First responder access is critical not only for this block but the surrounding mixed-use buildings.

I appreciate the applicant's intent to be a good neighbor and trust that he will carry through. Having said that, there are unanswered questions that need to be addressed.

This project is impactful to downtown residents in more ways than cited here. I will address these at the hearing. The renderings in drawings X2, X3, and X4 do not take into account the viewscape from the rear property owners as shown below. While the rear view is not primarily public, it does matter.



Merrell Bergin
Tel. 303-601-1785