



## REGULAR MEETING OF THE CITY COUNCIL

448 E. 1<sup>st</sup> Street, Room 190

Salida, Colorado 81201

Tuesday, August 18, 2020 - 6:00 p.m.

### AGENDA

Please register for Regular City Council Meeting

<https://attendee.gotowebinar.com/register/2923586433681497360>

After registering, you will receive a confirmation email about joining the webinar.

1. Call to Order
  - a. Pledge of Allegiance – Led by Mayor Wood
  - b. Roll Call
  - c. Civility Invocation
  - d. COVID-19 Update
2. Consent Agenda
  - a. Approval of Agenda
  - b. Approval of Meeting Minutes – August 4, 2020
3. Citizen Comment – 3 minute time limit
4. Liquor Licensing Authority
  - a. Public Hearing – New Brew Pub License for Hubbub Brewing, 248 W Highway 50, DBA Soulcraft Brewing
5. Unfinished Business
  - a. Ordinance 2020-10 – An Ordinance of the City of Salida, Colorado, Rezoning Certain Real Property Owned by the City of Salida from Single-Family Residential District (R-1) to Medium-Density Residential District (R-2) (Planning)
  - b. Ordinance 2020-11 – An Ordinance of the City Council of the City of Salida, Colorado, Vacating a Portion of the East Crestone Avenue Right of Way at the Intersection with West Third (Planning)
  - c. Resolution 2020-28 - A Resolution of the City Council for the City of Salida, Colorado Approving the Development Agreement for the Salida RV Resort (Planning), to be continued until September 15, 2020

*Individuals with disabilities needing auxiliary aid(s) may request assistance by contacting the Deputy City Clerk at 448 E. 1<sup>st</sup> Street, Ste. 112, Salida, CO 81201, Ph.719-530-2630 at least 48 hours in advance.*

6. New Business / Action Items

- a. Resolution 2020-30 – A Resolution of the City Council for the City of Salida, Colorado Approving the Subdivision Improvement: Scott Street Water Facilities Reimbursement; and Inclusionary Housing Agreement for the Confluent Park Subdivision (Planning)

7. Councilmembers, Mayor and City Treasurer Reports

- Councilors Pollock, Shore, Templeton, Critelli, Pappenfort, and Kasper
- Mayor Wood
- Treasurer Bergin
- Staff Reports
- BOCC Reports

8. Adjourn

[SEAL]

---

City Clerk/Deputy City Clerk

---

Mayor P.T. Wood



REGULAR MEETING OF THE CITY COUNCIL AND  
THE LOCAL LICENSING AUTHORITY

448 E. 1<sup>st</sup> Street, Room 190  
Salida, Colorado 81201  
Tuesday, August 4, 2020 – 6:00 p.m.  
**MINUTES**

1. Call to Order
  - a. Pledge of Allegiance – Led by Mayor P.T. Wood
  - b. Roll Call – Councilmembers Justin Critelli, Alisa Pappenfort, Mayor Pro Tem Dan Shore, and Jane Templeton were present virtually. Harald Kasper, Mike Pollock and Mayor P.T. Wood were present.
  - c. Civility Invocation – Mayor P.T. Wood
  
2. Consent Agenda
  - a. Approval of Agenda
  - b. Approval of Meeting Minutes – July 21, 2020
  - c. 2020 FIBArk Events Recognition
  - d. Save our Stages Letter of Support
  - e. Hangar Ground Lease Agreement for Harriet Alexander Field – Dulaigh
  - f. Hangar Ground Lease Agreement for Harriett Alexander Field – Amen
  - g. Approval of 2020 Concrete Maintenance Change Order
  - h. Approval of Proposed Ruling of the Referee to be Filed in Case No. 20CW3010 (Diligence Application – School District Exchange)

**Shore made a motion to combine and approve the items on the consent agenda, seconded by Kasper. With all in favor, THE MOTION PASSED.**

3. Citizen Comment

**Kimi Uno and Stephen Hall spoke about the newly formed Community Equity Coalition and asked Council to work with them and support their mission.**

4. Unfinished Business
  - a. Ordinance 2020-10 – An Ordinance of the City of Salida, Colorado, Rezoning Certain Real Property Owned by the City of Salida from Single-Family Residential District (R-1) to Medium-Density Residential District (R-2)

**Shore made a motion to continue the second reading of Ordinance 2020-10 and**

**the associated public hearing to August 18, 2020, seconded by Templeton. With all in favor, THE MOTION PASSED.**

- b. Ordinance 2020-11 – An Ordinance of the City Council of the City of Salida, Colorado, Vacating a Portion of the East Crestone Avenue Right of Way at the Intersection with West Third

**Shore made a motion to continue the second reading of Ordinance 2020-11 and the associated public hearing to August 18, 2020, seconded by Templeton. With all in favor, THE MOTION PASSED.**

5. New Business / Action Items

- a. Resolution 2020-27 – Hold a Public Hearing on Proposed CDBG application; Possible Approval of Resolution Authorizing the Submission of a 2020 Community Development Block Grant (CDBG) Application and Authorizing the Mayor to Execute Required Documents and Agreements

**Community Development Director Glen Van Nimwegen entered staff comments into the record and recommended approval. Wood opened the Public Hearing. Hearing no comments, the Mayor closed the public hearing. Critelli made a motion to approve Resolution 2020-27, to approve the proposed application for CDBG grant funds, and authorize the Mayor to execute the required documents and agreements, seconded by Kasper. With all in favor, THE MOTION PASSED.**

- b. Resolution 2020-28 A Resolution of the City Council for the City of Salida, Colorado Approving the Development Agreement for the Salida RV Resort

**Pappenfort made a motion to continue the approval of Resolution 2020-28 to adopt the proposed Salida RV Resort Development Agreement until the August 18, 2020 Council meeting, seconded by Kasper. With all in favor, THE MOTION PASSED.**

- c. Resolution 2020-29 - A Resolution of the City Council for the City of Salida, Colorado, Adopting the Airport Master Plan and Airport Layout Plan for Harriet Alexander Field

**Kasper made a motion to approve Resolution 2020-29, seconded by Critelli. With all in favor, THE MOTION PASSED.**

- d. Declaration of Extension of State of Local Emergency – COVID-19 Action Plan

**Shore made a motion to approve the Declaration of extension of Local State of Emergency to implement the City of Salida’s COVID-19 Action Plan, extending until September 2<sup>nd</sup>, 2020, seconded by Kasper. With all in favor, THE MOTION PASSED.**

6. Councilors, Mayor, and City Treasurer Report

- Pollock supported re-establishing the Public Arts Commission. He also shared his support for our teachers and district.
- Shore expressed his support for re-instating the Public Arts Commission. He also stated that he felt the commission must adhere to the Civility Invocation and commit to civil discussion.
- Templeton stated she was looking forward to Rock School's Sun Fest.
- Critelli conveyed his support for efforts aimed at inclusivity and equity within the community. He also relayed that he was in favor of the Public Arts Commission.
- Pappenfort seconded Shore's comments.
- Kasper had nothing to report.
- Wood supported restoring the Public Arts Commission, he also felt it should focus on fundraising and other activities that positively support the art community.
- Treasurer Bergin stated that the budget process was on schedule. He expected to discuss the 2021 Budget during August 17 Work Session.

7. Adjourned at 7:05 p.m.

[SEAL]

---

City Clerk

---

Mayor

**Traffic speed on 7th Street ,**

1 message

**Brad Price** <bradprice61@gmail.com>  
To: publiccomment@cityofsalida.com**Brad Price** <bradprice61@gmail.com>

to publiccomment

Good Day, My name is Brad Price, and I live on West 7th Street and Davidson way. North of the walking path. 1 block from Longfellow Elementary School. During construction and now living the walking path and around the corners of J street.

I have witnessed many close encounters of walkers, bikers and cars up the hill where 7th street stops at Poncha Blvd. As well as many of my neighbors.

I did send the Police Chief an email on July 27th, and waiting for a response. it is included in this email,

I would like to see the speed limit posted for one , as well, 15 miles per hour is normal for 2 blocks surrounding school zones. which I believe this constitutes.

With school ready to start, I hope we can hear something that we can be proactive, with the speed and flow of activity in this area. again, I would be sad to be a witness to something that coul

Thank you for your time and consideration, and I look forward to hearing from you,

Regards  
Brad Price  
719-221-2648

Email sent to Chief Johnson sent July 27th.. no response. Aug. 8th

*We live and own rentals on Davidson Way, just north of Longfellow Elementary School on W. 7th St. There is a cross walk on W. 7th St. that connects the walking path an walkers and bikers. Presently, the speed limit is but we have witnessed several vehicles speed much faster than that and as they are heading up the hill to Poncha Blvd. speed limit. We'd like to know what the process is to request that the speed limit be lowered to 15 mph from Longfellow Elementary to Poncha Blvd.*

*Please advise and thank you for your attention to this request*



## REQUEST FOR CITY COUNCIL ACTION

Meeting Date: August 18, 2020

<b>AGENDA ITEM NO.</b> 4.a.	<b>ORIGINATING DEPARTMENT:</b> Administration	<b>PRESENTED BY:</b> Erin Kelley
--------------------------------	--------------------------------------------------	-------------------------------------

**ITEM:**

New Brew Pub Liquor License for Mike LaCroix and Tom Price, 248 W Highway 50, DBA Soulcraft Brewing

**BACKGROUND:**

A new Colorado Brew Pub Liquor License application was filed with the City Clerk on July 7, 2020. The Notice of Public Hearing was published on July 10, 2020 in the Mountain Mail and the premises was posted on August 7, 2020.

All proper fees have been remitted to the City and State of Colorado. Individual history records and the Colorado Bureau of Investigation background check have been reviewed by staff with no issues.

**STAFF RECOMMENDATION:**

Staff recommends that the Liquor Licensing Authority approve a new Brew Pub Liquor License for Soulcraft Brewing.

**SUGGESTED MOTIONS:**

Following a public hearing on the matter, a Licensing Authority member should make a motion to approve the new Colorado Brew Pub Liquor License for Mike LaCroix and Tom Price, 248 W Highway 50, DBA Soulcraft Brewing followed by a second and a roll call vote.



448 East 1<sup>st</sup> Street, Suite 112  
SALIDA, CO 81201

PHONE 719-539-4555  
FAX 719-539-5271

---

**PUBLIC NOTICE  
PURSUANT TO THE LIQUOR LAWS  
OF COLORADO**

Pursuant to the Liquor Laws of the State of Colorado, Hubhub Brewing dba Soulcraft Brewery, has requested the Local Licensing Authority of the City of Salida, Colorado to grant a Brew Pub (City) liquor license to manufacture malt liquors or fermented malt beverages for the drink for consumption on the premises at 248 West Highway 50, Salida, CO 81201.

A hearing on the application received July 7, 2020 will be held before the Local Licensing Authority of the City of Salida, Colorado at the hour of 6:00 p.m., or as soon thereafter as may be heard, on Tuesday, August 18th, 2020 in the City Council Chambers, 448 East 1<sup>st</sup> Street, Salida, Colorado.

At said time and place, any interested persons may appear to be heard for or against the granting of said license.

<https://attendee.gotowebinar.com/register/2923586433681497360>

LOCAL LICENSING AUTHORITY

  
Erin Kelley, City Clerk

Premises Posted: Friday, August 7, 2020  
Publish in Mountain Mail: July 10, 2020

within the augmentation plan areas included in the plan for augmentation, by either an uncontested approval by the State Engineer or Order of the Court, shall be part of the decreed plan for augmentation.  
Published in The Mountain Mail July 10, 2020

**PUBLIC NOTICE  
PURSUANT TO THE LIQUOR LAWS  
OF COLORADO**

Pursuant to the Liquor Laws of the State of Colorado, Hubbud Brewing dba Soulcraft Brewery, has requested the Local Licensing Authority of the City of Salida, Colorado to grant a Brew Pub (City) liquor license to to manufacture malt liquors or fermented malt beverages for the drink for consumption on the premises at 248 West Highway 50, Salida, CO 81201.

A hearing on the application received July 7, 2020 will be held before the Local Licensing Authority of the City of Salida, Colorado at the hour of 6:00 p.m., or as soon thereafter as may be heard, on Tuesday, August 18th, 2020 in the City Council Chambers, 448 East 1st Street, Salida, Colorado.

At said time and place, any interested persons may appear to be heard for or against the granting of said license.

LOCAL LICENSING AUTHORITY

Erin Kelley, City Clerk  
Premises Posted: Friday, August 7, 2020  
Publish in Mountain Mail: July 10, 2020

**PUBLIC NOTICE  
NOTICE:**

Notice is hereby given pursuant to any one or more Decrees in Case No. 92CW84, 94CW5, 94CW41, 94CW42, 96CW17, 03CW55 and 06CW32 Division 2, Water Court that during the month of July 2020 the following parties applied for augmentation through the office of Upper Arkansas Water Conservancy District (UAWCD).

**Name** Edwin T. Shaffer, Donna S. Shaffer  
**Address** 16850 Co Rd 369, Buena Vista, CO 81211  
**Chaffee County** S13, T13S R79W, 6th PM

**Type Well**  
**Qty. of Water** .100 af

The applications are available for review in the office of UAWCD, 339 E. Hwy 50, Salida, Colorado during normal business hours. Any affected person may file comments with the State Engineer within sixty days of the date of publication of such monthly notice. Any affected person not satisfied by the State Engineer's application of the terms and conditions established for this plan for augmentation to a specific structure, may then apply to the Water Court for a de novo hearing, under the Court's retained jurisdiction, whether the terms and conditions of the decree approving the plan for augmentation have been met with respect to the request for an authorized diversion included within that application to the State Engineer. Such de novo hearing shall be pursuant to Water Right Determination and Administration Act of 1969. Authorized diversions located within the augmentation plan areas included in the plan for augmentation, by either an uncontested approval by the State Engineer or Order of the Court, shall be part of the decreed plan for augmentation.  
Published in The Mountain Mail July 10, 2020

**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 July 27th, 2020 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 on the application of Chaffee County Administration. The applicant is requesting approval for variances on the property located at 104 Crestone Ave (Chaffee County Government Campus), legally known

as Exempt Property Strip B Block 4 Eddy Brothers Addition, City of Salida, Chaffee County, Colorado.

The purpose of the request is to receive: 1. A variance for parking requirements to allow adjacent striped parking at Thonoff Park and along a portion of Crestone Avenue to count towards on-site parking requirements (per agreement with the City of Salida); and 2. A variance for maximum lot coverage for an access drive to the rear of the existing building. Both requests are being made in anticipation of a proposed campus building addition. Interested persons are encouraged to participate in the public hearing, either by attending the hearing in person (abiding by social distancing standards) or by joining the hearing virtually at: <https://attendee.gotowebinar.com/rt/1909092342220683277>. The public may also comment on the proposals ahead of time. Please submit any email comments to [bill.almquist@cityofsalida.com](mailto:bill.almquist@cityofsalida.com) by 5:00pm on July 27th. Further information on the application may be obtained from the Community Development Department by calling (719) 530-2634. To review the City's social distancing policy and other regulations, please visit <https://cityofsalida.com/covid-19info/>.  
Published in The Mountain Mail July 10, 2020



**UPDATED DEADLINES  
FOR  
LEGAL NOTICES**

The legal notices will now run  
in The Mountain Mail on

# Colorado Liquor Retail License Application

03-06522 Sales person's wholesale beer - 6/21/2021

New License  
  New-Concurrent  
  Transfer of Ownership  
  State Property Only  
  Master file

• All answers must be printed in black ink or typewritten  
 • Applicant must check the appropriate box(es)  
 • Applicant should obtain a copy of the Colorado Liquor and Beer Code: [www.colorado.gov/enforcement/liquor](http://www.colorado.gov/enforcement/liquor)

1. Applicant is applying as a/an  
  Individual  
 Limited Liability Company  
 Association or Other  
 Corporation  
 Partnership (includes Limited Liability and Husband and Wife Partnerships)

2. Applicant If an LLC, name of LLC; if partnership, at least 2 partner's names; if corporation, name of corporation      FEIN Number  
 Hubbus Brewing      795

2a. Trade Name of Establishment (DBA)      State Sales Tax Number  
 Soulcraft Brewing      304 622 89-0000      719-539-5428

3. Address of Premises (specify exact location of premises, include suite/unit numbers)  
 248 W. Hwy 50

City      County      State      ZIP Code  
 SALIDA      CHAFFEE      CO      81201

4. Mailing Address (Number and Street)      City or Town      State      ZIP Code  
 248 W. Hwy 50      SALIDA      CO      81201

5. Email Address  
 TOM@SOULCRAFTBEER.COM

6. If the premises currently has a liquor or beer license, you must answer the following questions

Present Trade Name of Establishment (DBA)      Present State License Number      Present Class of License      Present Expiration Date  
 SOULCRAFT Brewing      03-06303      MANUFACTURED      6/21/2021

**Section A      Nonrefundable Application Fees\*      Section B (Cont.)      Liquor License Fees\***

<input type="checkbox"/> Application Fee for New License ..... \$1,550.00	<input type="checkbox"/> Liquor-Licensed Drugstore (County) ..... \$312.50
<input checked="" type="checkbox"/> Application Fee for New License w/Concurrent Review ..... \$1,650.00	<input type="checkbox"/> Lodging & Entertainment - L&E (City) ..... \$500.00
<input type="checkbox"/> Application Fee for Transfer ..... \$1,550.00	<input type="checkbox"/> Lodging & Entertainment - L&E (County) ..... \$500.00

Section B      Liquor License Fees*	
<input type="checkbox"/> Add Optional Premises to H & R ..... \$100.00 X      Total _____	<input type="checkbox"/> Manager Registration - H & R ..... \$75.00
<input type="checkbox"/> Add Related Facility to Resort Complex \$75.00 X      Total _____	<input type="checkbox"/> Manager Registration - Tavern ..... \$75.00
<input type="checkbox"/> Add Sidewalk Service Area ..... \$75.00	<input type="checkbox"/> Manager Registration - Lodging & Entertainment ..... \$75.00
<input type="checkbox"/> Arts License (City) ..... \$308.75	<input type="checkbox"/> Manager Registration - Campus Liquor Complex ..... \$75.00
<input type="checkbox"/> Arts License (County) ..... \$308.75	<input type="checkbox"/> Optional Premises License (City) ..... \$500.00
<input type="checkbox"/> Beer and Wine License (City) ..... \$351.25	<input type="checkbox"/> Optional Premises License (County) ..... \$500.00
<input type="checkbox"/> Beer and Wine License (County) ..... \$436.25	<input type="checkbox"/> Racetrack License (City) ..... \$500.00
<input checked="" type="checkbox"/> Brew Pub License (City) ..... \$750.00	<input type="checkbox"/> Racetrack License (County) ..... \$500.00
<input type="checkbox"/> Brew Pub License (County) ..... \$750.00	<input type="checkbox"/> Resort Complex License (City) ..... \$500.00
<input type="checkbox"/> Campus Liquor Complex (City) ..... \$500.00	<input type="checkbox"/> Resort Complex License (County) ..... \$500.00
<input type="checkbox"/> Campus Liquor Complex (County) ..... \$500.00	<input type="checkbox"/> Related Facility - Campus Liquor Complex (City) ..... \$160.00
<input type="checkbox"/> Campus Liquor Complex (State) ..... \$500.00	<input type="checkbox"/> Related Facility - Campus Liquor Complex (County) ..... \$160.00
<input type="checkbox"/> Club License (City) ..... \$308.75	<input type="checkbox"/> Related Facility - Campus Liquor Complex (State) ..... \$160.00
<input type="checkbox"/> Club License (County) ..... \$308.75	<input type="checkbox"/> Retail Gaming Tavern License (City) ..... \$500.00
<input type="checkbox"/> Distillery Pub License (City) ..... \$750.00	<input type="checkbox"/> Retail Gaming Tavern License (County) ..... \$500.00
<input type="checkbox"/> Distillery Pub License (County) ..... \$750.00	<input type="checkbox"/> Retail Liquor Store License-Additional (City) ..... \$227.50
<input type="checkbox"/> Hotel and Restaurant License (City) ..... \$500.00	<input type="checkbox"/> Retail Liquor Store License-Additional (County) ..... \$312.50
<input type="checkbox"/> Hotel and Restaurant License (County) ..... \$500.00	<input type="checkbox"/> Retail Liquor Store (City) ..... \$227.50
<input type="checkbox"/> Hotel and Restaurant License w/one opt premises (City) ..... \$600.00	<input type="checkbox"/> Retail Liquor Store (County) ..... \$312.50
<input type="checkbox"/> Hotel and Restaurant License w/one opt premises (County) ..... \$600.00	<input type="checkbox"/> Tavern License (City) ..... \$500.00
<input type="checkbox"/> Liquor-Licensed Drugstore (City) ..... \$227.50	<input type="checkbox"/> Tavern License (County) ..... \$500.00
	<input type="checkbox"/> Vintners Restaurant License (City) ..... \$750.00
	<input type="checkbox"/> Vintners Restaurant License (County) ..... \$750.00

\* Note that the Division will not accept cash

Questions? Visit: [www.colorado.gov/enforcement/liquor](http://www.colorado.gov/enforcement/liquor) for more information

**Do not write in this space - For Department of Revenue use only**

Liability Information			
License Account Number	Liability Date	License Issued Through (Expiration Date)	Total \$

## Application Documents Checklist and Worksheet

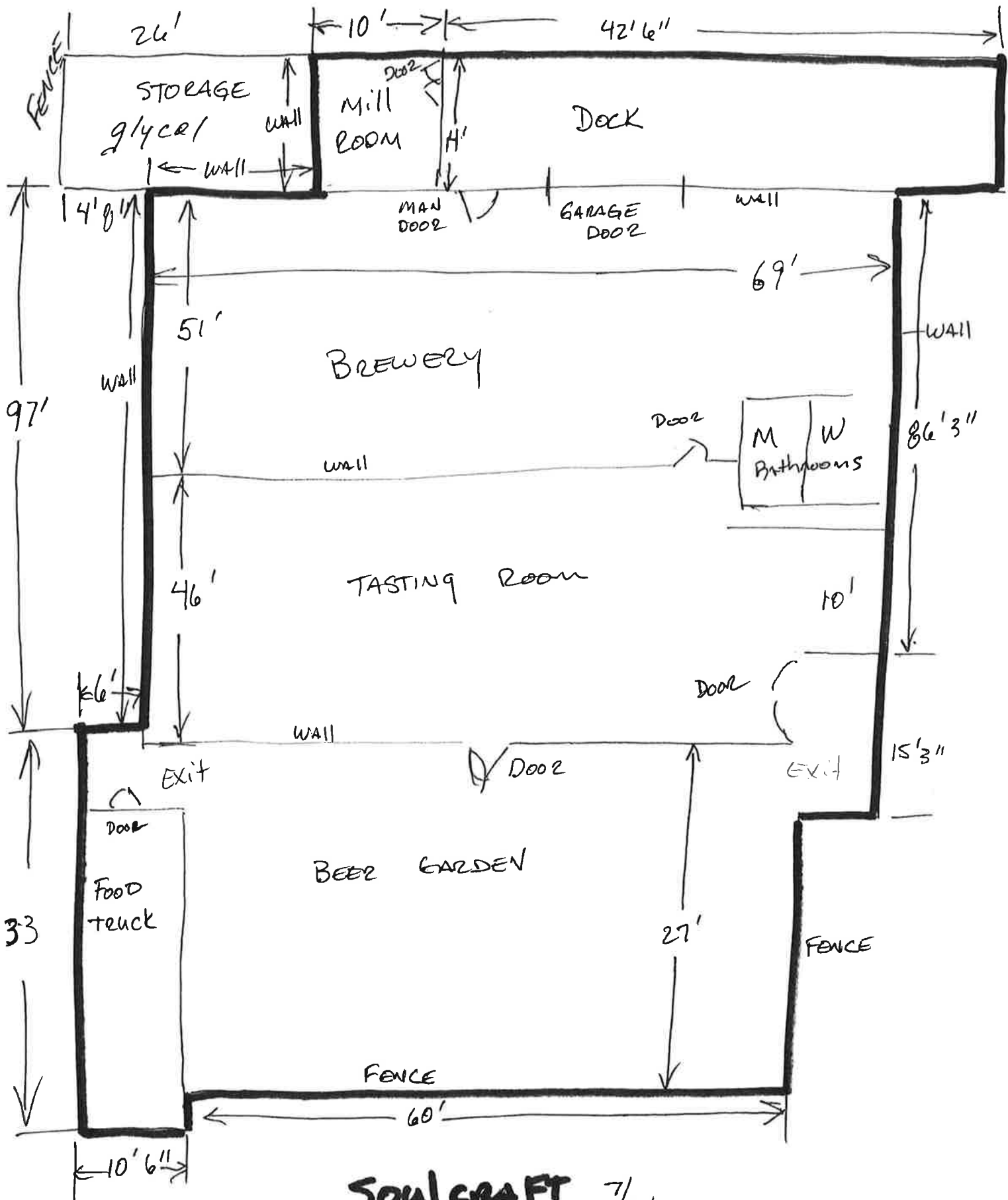
**Instructions:** This checklist should be utilized to assist applicants with filing all required documents for licensure. All documents must be properly signed and correspond with the name of the applicant exactly. All documents must be typed or legibly printed. Upon final State approval the license will be mailed to the local licensing authority. Application fees are nonrefundable. **Questions? Visit: [www.colorado.gov/enforcement/liquor](http://www.colorado.gov/enforcement/liquor) for more information**

Items submitted, please check all appropriate boxes completed or documents submitted	
<b>I.</b>	<b>Applicant information</b> <input checked="" type="checkbox"/> A. Applicant/Licensee identified <input checked="" type="checkbox"/> B. State sales tax license number listed or applied for at time of application <input checked="" type="checkbox"/> C. License type or other transaction identified <input checked="" type="checkbox"/> D. Return originals to local authority (additional items may be required by the local licensing authority) <input checked="" type="checkbox"/> E. All sections of the application need to be completed <input type="checkbox"/> F. Master file applicants must include the Application for Master File form DR 8415 and applicable fees to this Retail License Application
<b>II.</b>	<b>Diagram of the premises</b> <input checked="" type="checkbox"/> A. No larger than 8 1/2" X 11" <input checked="" type="checkbox"/> B. Dimensions included (does not have to be to scale). Exterior areas should show type of control (fences, walls, entry/exit points, etc.) C. Separate diagram for each floor (if multiple levels) D. Kitchen - identified if Hotel and Restaurant <input checked="" type="checkbox"/> E. Bold/Outlined Licensed Premises
<b>III.</b>	<b>Proof of property possession (One Year Needed)</b> <input type="checkbox"/> A. Deed in name of the applicant (or) (matching question #2) date stamped / filed with County Clerk <input checked="" type="checkbox"/> B. Lease in the name of the applicant (or) (matching question #2) <input type="checkbox"/> C. Lease assignment in the name of the applicant with proper consent from the landlord and acceptance by the applicant <input type="checkbox"/> D. Other agreement if not deed or lease. (matching question #2)
<b>IV.</b>	<b>Background information (DR 8404-I) and financial documents</b> <input checked="" type="checkbox"/> A. Complete DR 8404-I for each principal (individuals with more than 10% ownership, officers, directors, partners, members) <input type="checkbox"/> B. Fingerprints taken and submitted to the appropriate Local Licensing Authority through an approved state vendor. <b>Do not complete fingerprint cards prior to submitting your application.</b> The Vendors are as follows: <b>IdentoGO</b> – <a href="https://uenroll.identogo.com/">https://uenroll.identogo.com/</a> Phone: 844-539-5539 (toll-free) Identogo FAQs: <a href="https://www.colorado.gov/pacific/cbi/identification-faqs">https://www.colorado.gov/pacific/cbi/identification-faqs</a> <b>Colorado Fingerprinting</b> – <a href="http://www.coloradofingerprinting.com">http://www.coloradofingerprinting.com</a> Appointment Scheduling Website: <a href="http://www.coloradofingerprinting.com/cabs/">http://www.coloradofingerprinting.com/cabs/</a> Phone: 720-292-2722 Toll Free: 833-224-2227 <input type="checkbox"/> C. Purchase agreement, stock transfer agreement, and/or authorization to transfer license <input checked="" type="checkbox"/> D. List of all notes and loans (Copies to also be attached)
<b>V.</b>	<b>Sole proprietor/husband and wife partnership (if applicable)</b> <input type="checkbox"/> A. Form DR 4679 <input type="checkbox"/> B. Copy of State issued Driver's License or Colorado Identification Card for each applicant
<b>VI.</b>	<b>Corporate applicant information (if applicable)</b> <input type="checkbox"/> A. Certificate of Incorporation <input type="checkbox"/> B. Certificate of Good Standing <input type="checkbox"/> C. Certificate of Authorization if foreign corporation (out of state applicants only)
<b>VII.</b>	<b>Partnership applicant information (if applicable)</b> <input type="checkbox"/> A. Partnership Agreement (general or limited). <input type="checkbox"/> B. Certificate of Good Standing
<b>VIII.</b>	<b>Limited Liability Company applicant information (if applicable)</b> <input type="checkbox"/> A. Copy of articles of organization <input checked="" type="checkbox"/> B. Certificate of Good Standing <input checked="" type="checkbox"/> C. Copy of Operating Agreement (if applicable) <input type="checkbox"/> D. Certificate of Authority if foreign LLC (out of state applicants only)
<b>IX.</b>	<b>Manager registration for Hotel and Restaurant, Tavern, Lodging &amp; Entertainment, and Campus Liquor Complex licenses when included with this application</b> <input type="checkbox"/> A. \$75.00 fee <input type="checkbox"/> B. Individual History Record (DR 8404-I) <input type="checkbox"/> C. If owner is managing, no fee required

<b>Name</b> Hubbub Brewing LLC	<b>Type of License</b> Brew Pub	<b>Account Number</b>		
7. Is the applicant (including any of the partners if a partnership; members or managers if a limited liability company; or officers, stockholders or directors if a corporation) or managers under the age of twenty-one years?		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
8. Has the applicant (including any of the partners if a partnership; members or managers if a limited liability company; or officers, stockholders or directors if a corporation) or managers ever (in Colorado or any other state):				
a. Been denied an alcohol beverage license?		<input type="checkbox"/> <input checked="" type="checkbox"/>		
b. Had an alcohol beverage license suspended or revoked?		<input type="checkbox"/> <input checked="" type="checkbox"/>		
c. Had interest in another entity that had an alcohol beverage license suspended or revoked?		<input type="checkbox"/> <input checked="" type="checkbox"/>		
If you answered yes to 8a, b or c, explain in detail on a separate sheet.				
9. Has a liquor license application (same license class), that was located within 500 feet of the proposed premises, been denied within the preceding two years? If "yes", explain in detail.		<input type="checkbox"/> <input checked="" type="checkbox"/>		
10. Are the premises to be licensed within 500 feet, of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary?		<input type="checkbox"/> <input checked="" type="checkbox"/>		
or Waiver by local ordinance? <input type="checkbox"/> <input type="checkbox"/> Other: _____				
11. Is your Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 1500 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of greater than (>) 10,000? <b>NOTE:</b> The distance shall be determined by a radius measurement that begins at the principal doorway of the LLDS/RLS premises for which the application is being made and ends at the principal doorway of the Licensed LLDS/RLS.		<input type="checkbox"/> <input type="checkbox"/>		
12. Is your Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 3000 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of less than (<) 10,000? <b>NOTE:</b> The distance shall be determined by a radius measurement that begins at the principal doorway of the LLDS/RLS premises for which the application is being made and ends at the principal doorway of the Licensed LLDS/RLS.		<input type="checkbox"/> <input type="checkbox"/>		
13 a. For additional Retail Liquor Store only. Was your Retail Liquor Store License issued on or before January 1, 2016?		<input type="checkbox"/> <input type="checkbox"/>		
13 b. Are you a Colorado resident?		<input checked="" type="checkbox"/> <input type="checkbox"/>		
14. Has a liquor or beer license ever been issued to the applicant (including any of the partners, if a partnership; members or manager if a Limited Liability Company; or officers, stockholders or directors if a corporation)? If yes, identify the name of the business and list any <u>current</u> financial interest in said business including any loans to or from a licensee.		<input type="checkbox"/> <input type="checkbox"/>		
15. Does the applicant, as listed on line 2 of this application, have legal possession of the premises by ownership, lease or other arrangement?		<input checked="" type="checkbox"/> <input type="checkbox"/>		
<input type="checkbox"/> Ownership <input checked="" type="checkbox"/> Lease <input type="checkbox"/> Other (Explain in Detail) _____				
a. If leased, list name of landlord and tenant, and date of expiration, <b>exactly as they appear on the lease:</b>				
Landlord Eugene Bondurant	Tenant Hubbub Brewing LLC	Expires 11/30/2020		
b. Is a percentage of alcohol sales included as compensation to the landlord? If yes, complete question 16.		<input type="checkbox"/> <input checked="" type="checkbox"/>		
c. Attach a diagram that designates the area to be licensed in black bold outline (including dimensions) which shows the bars, brewery, walls, partitions, entrances, exits and what each room shall be utilized for in this business. This diagram should be no larger than 8 1/2" X 11".				
16. Who, besides the owners listed in this application (including persons, firms, partnerships, corporations, limited liability companies) will loan or give money, inventory, furniture or equipment for use in the business, or who will receive money from this business? Attach a separate sheet if necessary.				
Last Name	First Name	Date of Birth	FEIN or SSN	Interest/Percentage
Last Name	First Name	Date of Birth	FEIN or SSN	Interest/Percentage
<b>Attach copies of all notes and security instruments and any written agreement or details of any oral agreement, by which any person (including partnerships, corporations, limited liability companies, etc.) will share in the profit or gross proceeds of this establishment, and any agreement relating to the business which is contingent or conditional in any way by volume, profit, sales, giving of advice or consultation.</b>				
17. Optional Premises or Hotel and Restaurant Licenses with Optional Premises: Has a local ordinance or resolution authorizing optional premises been adopted? <input type="checkbox"/> <input type="checkbox"/>				
Number of additional Optional Premise areas requested. (See license fee chart) <input type="text"/>				
18. For the addition of a Sidewalk Service Area per Regulation 47-302(A)(4), include a diagram of the service area and documentation received from the local governing body authorizing use of the sidewalk. Documentation may include but is not limited to a statement of use, permit, easement, or other legal permissions.				
19. Liquor Licensed Drugstore (LLDS) applicants, answer the following: a. Is there a pharmacy, licensed by the Colorado Board of Pharmacy, located within the applicant's LLDS premise? <input type="checkbox"/> <input type="checkbox"/> If "yes" a copy of license must be attached.				

Name	Type of License	Account Number		
<b>20. Club Liquor License applicants answer the following: Attach a copy of applicable documentation</b>				
a. Is the applicant organization operated solely for a national, social, fraternal, patriotic, political or athletic purpose and not for pecuniary gain?		Yes <input type="checkbox"/> No <input type="checkbox"/>		
b. Is the applicant organization a regularly chartered branch, lodge or chapter of a national organization which is operated solely for the object of a patriotic or fraternal organization or society, but not for pecuniary gain?		Yes <input type="checkbox"/> No <input type="checkbox"/>		
c. How long has the club been incorporated?				
d. Has applicant occupied an establishment for three years (three years required) that was operated solely for the reasons stated above?		Yes <input type="checkbox"/> No <input type="checkbox"/>		
<b>21. Brew-Pub, Distillery Pub or Vintner's Restaurant applicants answer the following:</b>				
a. Has the applicant received or applied for a Federal Permit? (Copy of permit or application must be attached)		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
<b>22. Campus Liquor Complex applicants answer the following:</b>				
a. Is the applicant an institution of higher education?		Yes <input type="checkbox"/> No <input type="checkbox"/>		
b. Is the applicant a person who contracts with the institution of higher education to provide food services? If "yes" please provide a copy of the contract with the institution of higher education to provide food services.		Yes <input type="checkbox"/> No <input type="checkbox"/>		
<b>23. For all on-premises applicants:</b>				
a. Hotel and Restaurant, Lodging and Entertainment, Tavern License and Campus Liquor Complex, the Registered Manager must also submit an Individual History Record - DR 8404-I and fingerprint submitted to approved State Vendor through the Vendor's website. See application checklist, Section IV, for details				
b. For all Liquor Licensed Drugstores (LLDS) the Permitted Manager must also submit a Manager Permit Application - DR 8000 and fingerprints.				
Last Name of Manager		First Name of Manager		
<b>24. Does this manager act as the manager of, or have a financial interest in, any other liquor licensed establishment in the State of Colorado? If yes, provide name, type of license and account number.</b>				
		Yes <input type="checkbox"/> No <input type="checkbox"/>		
<b>25. Related Facility - Campus Liquor Complex applicants answer the following:</b>				
a. Is the related facility located within the boundaries of the Campus Liquor Complex? If yes, please provide a map of the geographical location within the Campus Liquor Complex. If no, this license type is not available for issues outside the geographical location of the Campus Liquor Complex.		Yes <input type="checkbox"/> No <input type="checkbox"/>		
b. Designated Manager for Related Facility- Campus Liquor Complex				
Last Name of Manager		First Name of Manager		
<b>26. Tax Information.</b>				
a. Has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant, been found in final order of a tax agency to be delinquent in the payment of any state or local taxes, penalties, or interest related to a business?		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
b. Has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant failed to pay any fees or surcharges imposed pursuant to section 44-3-503, C.R.S.?		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
<b>27. If applicant is a corporation, partnership, association or limited liability company, applicant must list all Officers, Directors, General Partners, and Managing Members. In addition, applicant must list any stockholders, partners, or members with ownership of 10% or more in the applicant. All persons listed below must also attach form DR 8404-I (Individual History Record), and make an appointment with an approved State Vendor through their website. See application checklist, Section IV, for details.</b>				
Name	Home Address, City & State	DOB	Position	%Owned
Mike J. LaCroix	[REDACTED]	[REDACTED]	LEO	27.42
Name	Home Address, City & State	DOB	Position	%Owned
Tom W. Price	[REDACTED]	[REDACTED]	LOO	32.63
Name	Home Address, City & State	DOB	Position	%Owned
Name	Home Address, City & State	DOB	Position	%Owned
Name	Home Address, City & State	DOB	Position	%Owned
** If applicant is owned 100% by a parent company, please list the designated principal officer on above. ** Corporations - the President, Vice-President, Secretary and Treasurer must be accounted for above (Include ownership percentage if applicable) ** If total ownership percentage disclosed here does not total 100%, applicant must check this box: <input checked="" type="checkbox"/> Applicant affirms that no individual other than these disclosed herein owns 10% or more of the applicant and does not have financial interest in a prohibited liquor license pursuant to Article 3 or 5, C.R.S.				

Name	Type of License	Account Number
<b>Oath Of Applicant</b>		
I declare under penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge. I also acknowledge that it is my responsibility and the responsibility of my agents and employees to comply with the provisions of the Colorado Liquor or Beer Code which affect my license.		
Authorized Signature <i>Thomas W. Price</i>	Printed Name and Title Thomas W. Price COO	Date 7/1/2020
<b>Report and Approval of Local Licensing Authority (City/County)</b>		
Date application filed with local authority	Date of local authority hearing (for new license applicants; cannot be less than 30 days from date of application)	
The Local Licensing Authority Hereby Affirms that each person required to file DR 8404-I (Individual History Record) or a DR 8000 (Manager Permit) has been:		
<input type="checkbox"/> Fingerprinted <input type="checkbox"/> Subject to background investigation, including NCIC/CCIC check for outstanding warrants		
That the local authority has conducted, or intends to conduct, an inspection of the proposed premises to ensure that the applicant is in compliance with and aware of, liquor code provisions affecting their class of license		
(Check One)		
<input type="checkbox"/> Date of inspection or anticipated date _____ <input type="checkbox"/> Will conduct inspection upon approval of state licensing authority		
<input type="checkbox"/> Is the Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 1,500 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of > 10,0000?		Yes No <input type="checkbox"/> <input type="checkbox"/>
<input type="checkbox"/> Is the Liquor Licensed Drugstore(LLDS) or Retail Liquor Store (RLS) within 3,000 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of < 10,0000?		<input type="checkbox"/> <input type="checkbox"/>
<b>NOTE:</b> The distance shall be determined by a radius measurement that begins at the principal doorway of the LLDS/RLS premises for which the application is being made and ends at the principal doorway of the Licensed LLDS/RLS.		
<input type="checkbox"/> Does the Liquor-Licensed Drugstore (LLDS) have at least twenty percent (20%) of the applicant's gross annual income derived from the sale of food, during the prior twelve (12) month period?		<input type="checkbox"/> <input type="checkbox"/>
The foregoing application has been examined; and the premises, business to be conducted, and character of the applicant are satisfactory. We do report that such license, if granted, will meet the reasonable requirements of the neighborhood and the desires of the adult inhabitants, and will comply with the provisions of Title 44, Article 4 or 3, C.R.S., and Liquor Rules. <b>Therefore, this application is approved.</b>		
Local Licensing Authority for	Telephone Number	<input type="checkbox"/> Town, City <input type="checkbox"/> County
Signature	Print	Title
Signature	Print	Title
		Date



**Soul CRAFT**

7/1/2020  
Tom

**BREW PUB LIQUOR LICENSE APPLICATION HEARING**  
**Soulcraft Brewery / August 18, 2020**  
**SALIDA LOCAL LIQUOR LICENSING AUTHORITY**

**Clerk:** Presents the preliminary investigation reports and findings of City Staff.

**Mayor/Presiding Officer:** “This is a public hearing before the Salida City Council, sitting as the Salida Local Liquor Licensing Authority, on an application for a new Brew Pub Liquor License, submitted by Soulcraft for the premises with a street address of 248 W Highway 50, in the City of Salida.

Although the Authority is acting as a judge of this case, strict rules of evidence do not apply. Any evidence that is relevant may be considered by this Authority. It is then up to each member of the Authority to determine the credibility and weight of all such evidence as it relates to their decision. As Chair, I may limit testimony or evidence determined to be irrelevant, repetitive or cumulative.”

1. “Applicant presents its request and opening statement.
2. Cross-examination of the applicant’s witnesses is permitted in the following order:
  - a. Licensing Authority members
  - b. Any other party in interest.
3. The City presents evidence and witnesses (if any). Cross-examination of the City’s witnesses is permitted in the following order:
  - a. The applicant or its representative
  - b. Authority members
  - c. Any other party in interest.
4. Any “party in interest” may present evidence and testimony. Cross-examination of interested parties and their witnesses is permitted in the following order:
  - a. The applicant or its representative
  - b. Authority members
5. The applicant presents any rebuttal evidence; the City may also provide rebuttal evidence, if any.
6. The applicant gives a closing statement, if s/he chooses.”

*(\*Under the Colorado Liquor Code, a “party in interest” includes:  
An adult resident of the relevant neighborhood;  
An owner or business manager of a business located in the relevant neighborhood;  
A representative of a school located within 500 feet of the premises for which the license is under consideration.)*

*(Throughout this process, the Authority may ask questions)*

“Not hearing any more evidence to be brought before the Authority on this matter, I now close the public hearing. Liquor Authority, you may begin your deliberations.”

*(The Authority will make a decision by motion and roll call vote)*



**REQUEST FOR CITY COUNCIL ACTION**

Meeting Date: August 18, 2020

<b>AGENDA ITEM NO.</b> 5.a.	<b>ORIGINATING DEPARTMENT:</b> Community Development	<b>PRESENTED BY:</b> Bill Almquist
--------------------------------	---------------------------------------------------------	---------------------------------------

**ITEM:**

Approval of Ordinance 2020-10: An ordinance to rezone an approximately .17 ac parcel located at the southwest intersection of East Crestone Avenue and West Third Street from Single-Family Residential (R-1) to Medium-Density Residential (R-2); on second reading.

**REQUEST:**

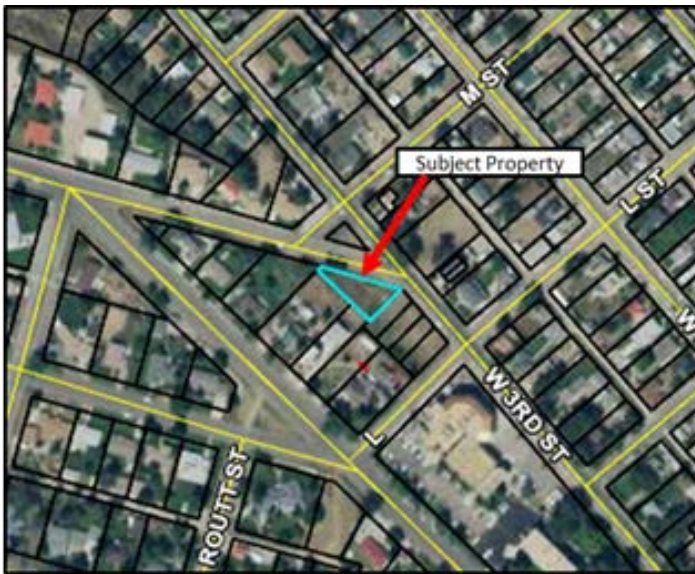
The request is to approve the rezoning of an approximately 7,405 sf (.17 ac) parcel, legally described as PT Lot 4-6 Strip C of Eddy Brothers Addition, Salida, Chaffee County Colorado, from Single-Family Residential (R-1) to Medium-Density Residential (R-2).

**APPLICANTS:**

City of Salida- 448 E. 1<sup>st</sup> Street, Salida, CO 81201 (owner and applicant); Chaffee Housing Trust- P.O. Box 692, Buena Vista, CO 82111 (co-applicant).

**LOCATION:**

The subject parcel is located at the southwest intersection of East Crestone Avenue and West Third Street.



Vicinity Map



Zoning Map

**BACKGROUND:**

City Council has identified the need for affordable housing (as stated in the 2016 Chaffee County Housing Needs Assessment) as one of its priority issues to address. That priority was reaffirmed as recently as this spring's Council retreat, and staff has been working to implement such actions.



**REQUEST FOR CITY COUNCIL ACTION**

Meeting Date: August 18, 2020

AGENDA ITEM NO.	ORIGINATING DEPARTMENT:	PRESENTED BY:
5.a.	Community Development	Bill Almquist

On July 16, 2019, Council directed staff to begin discussions with the Chaffee Housing Trust (CHT) regarding the potential transfer of City-owned property for the purpose of developing affordable housing units. Following this direction, staff began working with CHT to look at the feasibility of utilizing City-owned land at the intersection of E. Crestone Ave and W. Third St. On October 15, 2019, Council directed staff to initiate applications for the rezoning of the subject parcel which abuts E. Crestone Avenue, as well as the vacation of a portion of the E. Crestone Avenue right-of-way. The aim was to create a contiguous parcel with one common zoning designation that could be used to create affordable housing units. CHT and staff then began working to develop a concept plan for the potential future parcel that could accommodate up to five primary residential units, plus one ADU, as allowed by code.

The applications for the vacation of right-of-way and rezoning were submitted on February 6, 2020. On March 4, 2020, the City of Salida and Chaffee Housing Trust hosted a meeting for neighbors and other interested parties at the Scout Hut to present ideas and hear input from residents regarding the potential project. Neighbors' concerns and questions included whether there's an actual need for affordable housing, the potential impact to property values, the potential loss of vehicular access to/from Crestone Mesa, costs to the public, and potential increases to existing traffic, among others. A few attendees expressed some support for the project. Notes from that meeting are included in the packet, and some of the input factored into the eventual concept design that is attached to this report.

On March 16, 2020, City Council and Planning Commission held a joint conceptual review of the applications and potential project, to ask questions and provide feedback. Following a couple of postponements due to various factors, including the request of neighbors, COVID-19 restrictions, and the need for additional information regarding site design and adjacent street improvements, the subject application went in front of Planning Commission for a public hearing and recommendation on June 22, 2020. Their recommendations are included at the end of this report.

**OBSERVATIONS AND COMMENTS:**

1. The City of Salida owns the subject parcel, as well as the smaller triangular-shaped parcel (zoned R-2) directly across E. Crestone Ave. Both parcels are vacant.
2. The properties immediately surrounding this parcel to the northwest, north, east, and southeast are located within the Medium-Density Residential (R-2) zone district. Properties to the west and south (on the mesa above) are zoned Single-Family Residential (R-1). The surrounding R-2-zoned areas are characterized by a mix of single-family residences, duplexes, and



Looking south from W Third and M Streets at the subject property (beyond the white stones)



**REQUEST FOR CITY COUNCIL ACTION**

Meeting Date: August 18, 2020

AGENDA ITEM NO.	ORIGINATING DEPARTMENT:	PRESENTED BY:
5.a.	Community Development	Bill Almquist

multi-family residences. The Chaffee County jail and office buildings are located a half-block to the southeast.

3. The applicant has also submitted a separate application requesting a right-of-way vacation for the portion of E. Crestone Ave between the two City-owned parcels, with the purpose of consolidating the two lots into a single development site. It should be emphasized, however, that the lot rezoning request is independent from the vacation of right-of-way request. The City of Salida has expressed interest in potentially making the site available for an affordable housing development and is working with the Chaffee Housing Trust (CHT) towards that end, per the guidance of the Comprehensive Plan and the Salida Strategic Housing Plan. A copy of CHT's latest conceptual site plan is attached to this report, for reference. However, no specific development plan is currently being proposed, nor does approval of this rezoning request guarantee any sort of transfer of property.

**REVIEW STANDARDS FOR MAP AMENDMENTS [Section 16-4-210(c)]:**

1. **Consistent with Comprehensive Plan.** The proposed amendment shall be consistent with the Comprehensive Plan.
  - The Comprehensive Plan's Policy LU&G-I.1 states that "New development within the city shall make the most appropriate use of the land using design standards that enhance and complement the historic built environment of the city." The accompany Action Item LU&G-I.1.a. specifically directs the City to: "Amend Salida's Land Use Code and Zoning Map to advance the objectives of this plan and consider appropriate zoning designations, densities and overlays that utilize setbacks and promote the traditional historic built environment."
    - Rezoning this property from its current Single-Family Residential (R-1) status to Medium-Density Residential (R-2) will advance the objectives of the Comprehensive Plan by making the zoning of this parcel consistent with surrounding R-2-zoned parcels to the north, east, and southeast. A look at the City's Zoning Map shows the subject parcel surrounded on three sides by other properties zoned R-2 along W. Third Street. This parcel is very similar to the surrounding R-2-zoned parcels insofar as its size, topographical location (on the slope below Crestone Mesa) and accessibility to E. Crestone Avenue, W. Third Street, and M Street. It is distinct from the R-1-zoned properties immediately to the west due to its location below the mesa and its lack of access to Crestone Ave.
  - Policy LU&G-I.2 states that "Infill and redevelopment should be encouraged and will advance the objectives of this plan."



**REQUEST FOR CITY COUNCIL ACTION**

Meeting Date: August 18, 2020

AGENDA ITEM NO.	ORIGINATING DEPARTMENT:	PRESENTED BY:
5.a.	Community Development	Bill Almquist

- Rezoning this property from R-1 to R-2 would further encourage infill and redevelopment, thereby advancing the objectives of the Comprehensive Plan.
- Policy H-I.1 also directs the City to “Provide a mix of housing types and densities throughout the city to address a variety of incomes and lifestyles.”
  - As further discussed in Standard #2 below, rezoning the subject property to Medium-Density Residential (R-2) would allow for a greater variety of potential housing types on the property, all of which would be comparable to other housing types already seen in the immediate vicinity (i.e. single-family, duplex, etc.).

Given the policy directions cited above, staff finds that the request is consistent with the Comprehensive Plan.

2. **Consistency with Purpose of Zone District.** The proposed amendment shall be consistent with the purpose of the zone district to which the property is to be designated.

- Per Sec. 16-4-70(2), “The purpose of the Medium-Density Residential (R-2) zone district is to provide for residential neighborhoods comprised of detached single-family dwellings, duplex dwellings, and multi-family residences on smaller lots than are permitted in the Single-Family Residential (R-1) zone district, allowing for slightly greater overall densities. Complementary land uses may also include such supporting land uses as parks, schools, churches, home occupations or day care, amongst other uses.”

Staff finds that the proposed amendment is consistent with the purpose of the R-2 zone district, as the intent is to result in a lot that could provide a greater variety of potential housing and density—such as those which already exist on the adjacent lots to the southeast, lots across W. Third St., and other locations less than a block away.

3. **Compatibility with Surrounding Zone Districts and Uses.** The development permitted by the proposed amendment shall be compatible with surrounding zone districts, land uses and neighborhood character.

- As mentioned before and shown in the zoning map provided above, the subject property is bordered by Medium-Density Residential (R-2) zoned properties to the northwest, north, east, and southeast. Single-Family Residential (R-1) properties are located to the west and south, primarily on the mesa. The parcel is most similar both topographically and



**REQUEST FOR CITY COUNCIL ACTION**

Meeting Date: August 18, 2020

AGENDA ITEM NO.	ORIGINATING DEPARTMENT:	PRESENTED BY:
5.a.	Community Development	Bill Almquist

geographically to R-2-zoned parcels insofar as it is below Crestone Mesa and accessible to E. Crestone Avenue, W. Third Street, and M Street. The Salida Land Use Map from 1963 (portion attached to this report) took into account the topographical distinction of properties in this area and had designated the portion below Crestone Mesa, along W. Third St. between L and O Streets as “Multi-Family Residence (R-3).”

- The uses afforded by the proposed rezoning would include the same types of development that are seen on other R-2-zoned lots within a block radius of the subject property, including a mixture of single-family, duplexes, and multi-family residences. There are single-family condominiums directly across W. Third St. (at the corner of M St), and duplex condos/buildings immediately to the southeast on both sides of W. Third Street. Multi-family residences also exist less than a block away near the intersection of E. Crestone and Crestone Avenues (see map below).



View of duplex buildings adjacent the subject property (view looking northwest)



View of duplex building immediately east of the subject property, across W. Third St.



View of single-family homes across E. Crestone Ave & W. Third St. from the subject property



View of multi-family homes at top of E. Crestone Ave.

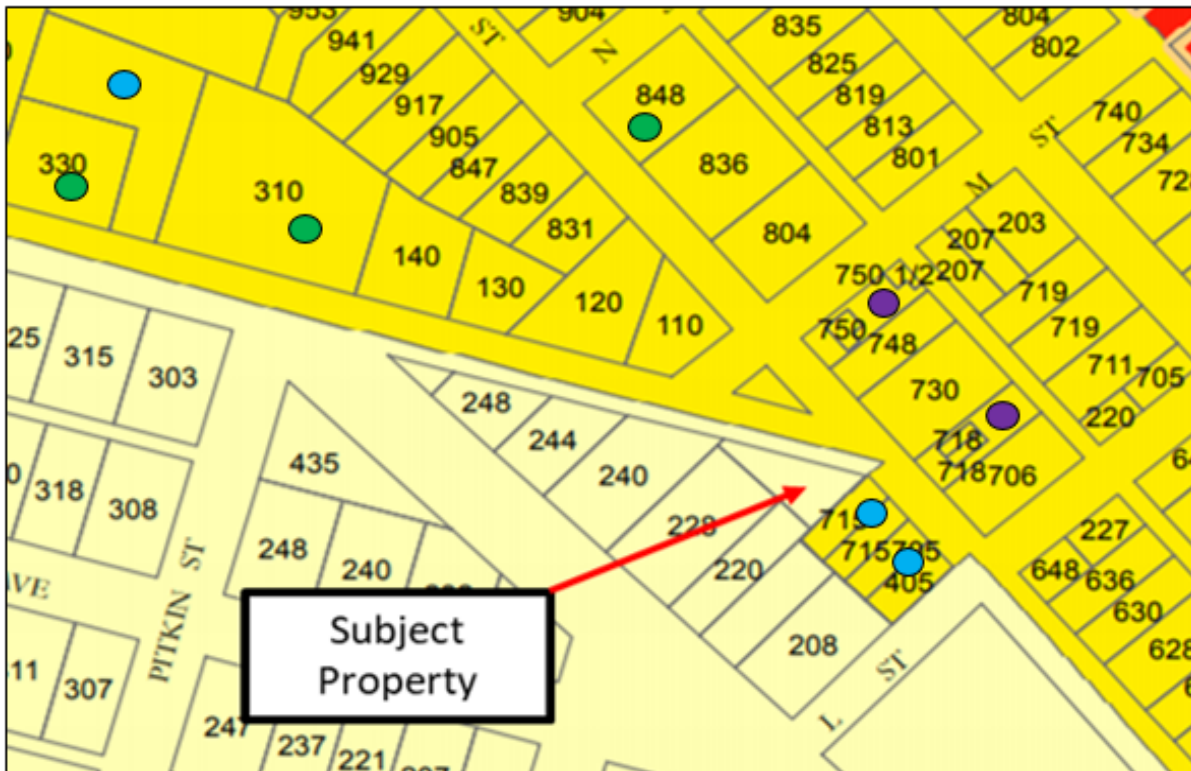


REQUEST FOR CITY COUNCIL ACTION

Meeting Date: August 18, 2020

<b>AGENDA ITEM NO.</b> 5.a.	<b>ORIGINATING DEPARTMENT:</b> Community Development	<b>PRESENTED BY:</b> Bill Almquist
--------------------------------	---------------------------------------------------------	---------------------------------------

Dwelling Types in Surrounding R-2 Zone District



- Duplexes
  - Condominiums
  - Multi-family apartments
- (Remainder are single-family dwellings)



**REQUEST FOR CITY COUNCIL ACTION**

Meeting Date: August 18, 2020

AGENDA ITEM NO.	ORIGINATING DEPARTMENT:	PRESENTED BY:
5.a.	Community Development	Bill Almquist

- Though there is no formal agreement between parties, nor has any specific development plan been officially proposed, the City of Salida is in discussions with the Chaffee Housing Trust (CHT) to determine the feasibility of an affordable housing project in this location. The most recent conceptual plan provided by CHT envisions a development on the subject lot and the other City-owned lot to the north, as well as the portion of E. Crestone Ave. in between (which would be dependent upon a vacation of that portion of right-of-way, separate from this application). The conceptual plan included at the end of this report shows a mix of three single-family homes (one with an attached ADU) and one duplex building spaced out similarly to homes directly across W. Third Street. CHT's concept elevations, also included, show homes that would mimic the surrounding roof styles and that would address W. Third Street in a manner similar to other homes on the block. Any such development would also require a future Limited Impact Review process that is separate from this application.

Staff finds that the development permitted by the proposed amendment to Medium-Density Residential (R-2) zoning will be compatible with surrounding zone districts, land uses and neighborhood character.

4. **Changed Conditions or Errors.** The applicant shall demonstrate that conditions affecting the subject parcel or the surrounding neighborhood have changed, or that due to incorrect assumptions or conclusions about the property, one (1) or more errors in the boundaries shown on the Official Zoning Map have occurred.

- The subject parcel has over time become surrounded on most sides by R-2-zoned lots. The lots immediately to the southeast of the subject parcel (Lots 3 & 4 of the Chavez Minor Subdivision) were created via subdivision in 2006 and approved for a rezoning from Single-Family Residential (R-1) to Medium-Density Residential (R-2) that same year (see attached below). The subject parcel, along with the other smaller City-owned parcel across E. Crestone Ave. share much in common with those adjacent lots that were rezoned to R-2, including topography and access to W. Third St. Through the years, these neighboring lots, as well as several other lots in the vicinity, have developed with a variety of homes that reflect the development standards of the R-2 zone district.

Staff finds that the conditions affecting the subject parcel or the surrounding neighborhood have changed, both via nearby rezonings and the nature of surrounding neighborhood development.



**REQUEST FOR CITY COUNCIL ACTION**

Meeting Date: August 18, 2020

<b>AGENDA ITEM NO.</b>	<b>ORIGINATING DEPARTMENT:</b>	<b>PRESENTED BY:</b>
5.a.	Community Development	Bill Almquist

**REVIEW AGENCY COMMENTS:**

Finance Department – Aimee Tihonovich/Renee Thonoff: No concerns from a financial impact. Upon development, System Development Fees for water and sewer are required. The City of Salida charges these fees per unit.

Fire Department – Chief Doug Bess: No Comment

Police Department – Russ Johnson: No Comment

Public Works – David Lady: No Comment

Utilities: (No comments have been received as of the publishing of the staff report and packet. Any comments received prior to the meeting will be presented in person by staff)

**RECOMMENDED FINDINGS:**

That the application is in compliance with the review standards of Section 16-4-210, Rezoning.

**STAFF RECOMMENDATION:**

Staff recommends approval of Ordinance 2020-10 on second reading.

**PLANNING COMMISSION RECOMMENDATION:**

On June 22, 2020 the Planning Commission unanimously recommended that the Council approve the rezoning request.

**SUGGESTED MOTIONS:**

A Council person should make a motion to “Approve Ordinance 2020-10: An ordinance to rezone an approximately .17 ac parcel located at the southwest intersection of East Crestone Avenue and West Third Street from Single-Family Residential (R-1) to Medium-Density Residential (R-2), on second reading.”



**REQUEST FOR CITY COUNCIL ACTION**

Meeting Date: August 18, 2020

AGENDA ITEM NO.	ORIGINATING DEPARTMENT:	PRESENTED BY:
5.a.	Community Development	Bill Almquist

**Attachments**

Ordinance 2020-10

Application

Topographical survey of subject property and area

1963 Zoning Map section and legend showing R-1/R-3 distinction

Conceptual site plan for potential future CHT development

Conceptual elevations for potential future CHT development

Staff Report and plat for adjacent Chavez Rezoning

Comments from 03/04/20 neighborhood meeting hosted by City and CHT

Proof of Publication

Public Comment Letters

**CITY OF SALIDA, COLORADO  
ORDINANCE NO. 10  
SERIES OF 2020**

**AN ORDINANCE OF THE CITY OF SALIDA, COLORADO, REZONING CERTAIN REAL PROPERTY OWNED BY THE CITY OF SALIDA FROM SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1) TO MEDIUM-DENSITY RESIDENTIAL DISTRICT (R-2)**

**WHEREAS**, on February 6, 2020, an application was filed to commence proceedings to rezone a tract of land owned by the City of Salida (“the City”) comprised of approximately 7,405 square feet located at the intersection of East Crestone Avenue and West Third Street and being more particularly described as PT Lot 4-6 Strip C of Eddy Brothers Addition, Salida, County of Chaffee, State of Colorado (the “Property”); and

**WHEREAS**, Section 16-4-210 (a) of the Salida Municipal Code states an amendment to the Zoning Map may be initiated by the City Administrator or the owner of the Property; and

**WHEREAS**, the City is the owner of the Property and is co-applicant on the rezoning request along with Chaffee Housing Trust, a 501.C.3 nonprofit, who is in discussions with the City regarding a potential affordable housing development on the site per the direction of the City Council on July 16, 2019 and October 15, 2019; and

**WHEREAS**, as required by the Salida Municipal Code, a public hearing on the zoning application for the Property was held on June 22, 2020 by the Planning Commission who found that the review standards for rezoning were met and forwarded a positive recommendation to the City Council; and

**WHEREAS**, a public hearing was held by the Salida City Council on August 18, 2020.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO, THAT:**

1. The aforementioned recitals are hereby fully incorporated herein.
2. The Property described above is hereby zoned Medium Density Residential (R-2).
3. Promptly following adoption of this Ordinance, the City Administrator shall cause the terms of this Ordinance to be incorporated into the Official Zoning Map of the City pursuant to Section 16-4-210 of the Salida Municipal Code. The signed original copy of the Zoning Map shall be filed with the City Clerk. The Clerk shall also record a certified copy of this Ordinance with the Chaffee County Clerk and Recorder. The City staff is further directed to comply with all provisions of the Salida Land Use Regulations, SMC §16-1-10, *et seq.*, to implement the provisions of this Ordinance.

INTRODUCED ON FIRST READING, on July 7, 2020, ADOPTED and ORDERED PUBLISHED IN FULL in a newspaper of general circulation in the City of Salida by the City Council on the \_\_\_\_ day of \_\_\_\_\_, 2020 and set for second reading and public hearing on the 18th day of August, 2020.

INTRODUCED ON SECOND READING, FINALLY ADOPTED and ORDERED PUBLISHED BY TITLE ONLY, by the City Council on the 18th day of August, 2020.

CITY OF SALIDA, COLORADO

---

P.T. Wood, Mayor

[SEAL]

ATTEST:

---

City Clerk/Deputy Clerk



**CHAFFEE HOUSING TRUST**  
A Commitment to Community

PO Box 692  
Buena Vista, CO 81211  
(719) 239-1199  
www.chaffeehousing.org  
info@chaffeehousing.org

Bill Almquist, Planner  
Community Development Department  
City of Salida  
448 East First Street, #112  
Salida, CO 81201

Bill,

The Chaffee Housing Trust (CHT) is submitting the enclosed application for the rezoning of the City owned lot at the intersection of M Street and 3rd Street.

The purpose of this application is to request rezoning of the parcel legally described as PT Lot 4-6 Strip C of Eddy Brothers Addition, Salida from R-1 to R-2 (consistent with adjacent zoning to the north, east, and southeast) for the purpose of developing affordable housing on a parcel created through the proposed vacation of E. Crestone Avenue. Per Article IV of the Building Code, Section 16-4-210:

- The parcel PT Lot 4-6 is zoned R-1. The parcel PT Lot 6 is zoned R-2. The former parcel should be R-2 to conform with the adjacent lots to the NW and SE along 3rd Street, as well as those across 3rd Street. The adjacent lots to the SW have frontage on Crestone Ave, on the mesa, are zoned R-1.
- Survey of both lots and Assessors maps are enclosed in this application.
- The current uses of the two parcels are vacant land except for E. Crestone Ave. that runs between them. The rest of both parcels are vacant land. All adjacent properties are developed with residential homes.
- The intended future use of the joined parcels is to provide affordable housing, targeting households earning 80% of Area Median Income or less for home ownership, conforming to the allowable uses in R-2 zones. The property will be developed as soon as possible, given building process and weather conditions. The change of PT Lot 4-6 from R-1 to R-2 is so that it conforms with adjacent properties along 3rd St.



- The proposal conforms with the Comprehensive Plan in several ways, as it state the "allocation of City-owned lands for affordable housing projects" as one of the efforts the City may include to the address the affordable housing issue (p.6-2), and implementation of measure #9 from the Strategic Plan states that "the City should provide direct support for the Housing Trust" (p.6-4). See application for Major Impact Review, section 1, for additional information to support conforming with the Comprehensive Plan.
- The proposed use of the parcel is consistent with the surrounding zone district and uses: residential housing, and is consistent with surrounding zoning, land uses, and neighborhood character.

Cordially,



Read McCulloch  
Executive Director





# GENERAL DEVELOPMENT APPLICATION

448 East First Street, Suite 112

Salida, CO 81201

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

Email: [planning@cityofsalida.com](mailto:planning@cityofsalida.com)

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

- |                                                              |                                                                                                                     |
|--------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Annexation                          | <input type="checkbox"/> Administrative Review:<br>(Type) _____                                                     |
| <input type="checkbox"/> Pre-Annexation Agreement            |                                                                                                                     |
| <input type="checkbox"/> Variance                            |                                                                                                                     |
| <input type="checkbox"/> Appeal Application (Interpretation) | <input type="checkbox"/> Limited Impact Review:<br>(Type) _____                                                     |
| <input type="checkbox"/> Certificate of Approval             |                                                                                                                     |
| <input type="checkbox"/> Creative Sign Permit                | <input checked="" type="checkbox"/> Major Impact Review:<br>(Type) <del>Right of Way vacation</del> <u>Rezoning</u> |
| <input type="checkbox"/> Historic Landmark/District          |                                                                                                                     |
| <input type="checkbox"/> License to Encroach                 | <input type="checkbox"/> Other: _____                                                                               |
| <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: Chaffee Housing Trust - Read McCulloch / City of Salida

Mailing Address: PO Box 692, Buena Vista, CO 81211

Telephone Number: (719) 239-1199 FAX: \_\_\_\_\_

Email Address: read@chaffeehousing.org

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: M & 3rd

Street Address: Intersection of East Crestone, M St., and 3rd St., Salida

Legal Description: Lot PT LOT 4-6 Block STRIP C Subdivision EDDY BROTHER 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 [Signature] Date 2/6/2020

Signature of property owner [Signature for Drew Nelson] Date 2/1/2020

**Staff Use Only**

Permit #: \_\_\_\_\_ Staff member assigned: \_\_\_\_\_ Public meeting Date: \_\_\_\_\_

Staff Comments: \_\_\_\_\_

Fee: \_\_\_\_\_ Receipt #: \_\_\_\_\_

7. Developments involving construction shall provide the following information:

(i) A development plan map, at a scale of one (1) inch equals fifty (50) feet or larger with title, date, north arrow and scale on a minimum sheet size of eight and one-half (8½) inches by eleven (11) inches, which depicts the area within the boundaries of the subject lot, including:

a. The locations of existing and proposed land uses, the number of dwelling units and the square footage of building space devoted to each use;

b. The location and dimensions, including building heights, of all existing and proposed Buildings or structures and setbacks from lot lines or building envelopes where exact dimensions are not available;

c. Parking spaces;

d. Utility distribution systems, utility lines, and utility easements;

e. Drainage improvements and drainage easements;

f. Roads, alleys, curbs, curb cuts and other access improvements;

g. Any other improvements;

h. Any proposed reservations or dedications of public right-of-way, easements or other public lands, and

i. Existing topography and any proposed changes in topography, using five-foot contour intervals or ten-foot contour intervals in rugged topography.

(ii) 24" x 36" paper prints certified by a licensed engineer and drawn to meet City specifications to depict the following:

a. Utility plans for water, sanitary sewer, storm sewer, electric, gas and telephone lines;

b. Plans and profiles for sanitary and storm sewers; and

c. Profiles for municipal water lines; and

d. Street plans and profiles.

(iii) Developments in the major impact review procedure shall provide a development plan map on paper prints of twenty-four (24) inches by thirty-six (36) inches, with north arrow and scale, and with title and date in lower right corner, at a scale of one (1) inch equals fifty (50) feet or larger which depicts the area within the boundaries of the subject lots and including those items in Section 16-3-40(a) (3).



## LIMITED IMPACT & MAJOR IMPACT SUBMITTAL REQUIREMENTS

448 East First Street, Suite 112  
Salida, CO 81201  
Phone: 719-530-2626 Fax: 719-539-5271  
Email: [planning@cityofsalida.com](mailto:planning@cityofsalida.com)

*An application is meant to highlight the requirements and procedures of the Land Use Code. With any development application, it is the responsibility of the applicant to read, understand, and follow all of the provisions of the Land Use Code.*

### 1. PROCEDURE (Section 16-3-80)

**A. Development Process (City Code Section 16-3-50)** Any application for approval of a development permit shall include a written list of information which shall constitute the applicant's development plan, which shall be that information necessary to determine whether the proposed development complies with this Code. The development plan shall include the following, as further specified for each level of review on the pre-application checklist:

1. Pre-Application Conference (Limited Impact and Major Impact Review Applications)
2. Submit Application
4. Staff Review. Staff report or decision forwarded to the applicant (Administrative review)
5. Public Notice
6. Public Hearing with Planning Commission (Limited Impact and Major Impact Review Applications)
7. Public Notice
8. Hearing Conducted by City Council (Major Impact Review)

### **B. Application Contents (City Code Section 16-3-50)**

1. A General Development Agreement completed.
2. A copy of a current survey or the duly approved and recorded subdivision plat covering the subject lots where the proposal is for development on previously subdivided or platted lots;
3. A brief written description of the proposed development signed by the applicant;
4. Special Fee and Cost Reimbursement Agreement completed.
5. 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 notarized affidavits for proof of posting the public notice.

8. Any request for zoning action, including review criteria for a requested conditional use (Sec. 16-4-190 ) or zoning variance (Sec. 16-4-180);
9. Any subdivision request including a plat meeting the requirements of Section 16-6-110;
10. Any other information which the Administrator determines is necessary to determine whether the proposed development complies with this Code, including but not limited to the following:
- (i) A tabular summary of the development proposal, which identifies the total proposed development area in acres, with a breakdown of the percentages and amounts devoted to specific land uses; total number and type of proposed residential units; total number of square feet of proposed nonresidential space; number of proposed lots; and sufficient information to demonstrate that the plat conforms with all applicable dimensional standards and off-street parking requirements.
  - (ii) A description of those soil characteristics of the site which would have a significant influence on the proposed use of the land, with supporting soil maps, soil logs and classifications sufficient to enable evaluation of soil suitability for development purposes. Data furnished by the USDA Natural Resource Conservation Service or a licensed engineer shall be used. The data shall include the shrink/swell potential of the soils, the groundwater levels and the resulting foundation requirements. Additional data may be required by the City if deemed to be warranted due to unusual site conditions.
  - (iii) A report on the geologic characteristics of the area, including any potential natural or man-made hazards which would have a significant influence on the proposed use of the land, including but not limited to hazards from steep or unstable slopes, rockfall, faults, ground subsidence or radiation, a determination of what effect such factors would have, and proposed corrective or protective measures.
  - (iv) Engineering specifications for any improvements.
  - (v) A plan for erosion and sediment control, stabilization and revegetation.
  - (vi) A traffic analysis prepared by a qualified expert, including projections of traffic volumes to be generated by the development and traffic flow patterns, to determine the impacts of a proposed development on surrounding City streets and to evaluate the need for road improvements to be made.
  - (vii) A storm drainage analysis consisting of the following:
    - (a) A layout map (which may be combined with the topographic map) showing the method of moving storm sewer water through the subdivision shall be provided. The map shall also show runoff concentrations in acres of drainage area on each street entering each intersection. Flow arrows shall clearly show the complete runoff flow pattern at each intersection. The location, size and grades of culverts, drain inlets and storm drainage sewers shall be shown, as applicable.
    - (b) The applicant shall demonstrate the adequacy of drainage outlets by plan, cross-section and/or notes and explain how diverted stormwater will be handled after it leaves the subdivision. Details for ditches and culverts shall be submitted, as applicable.
    - (c) The projected quantity of stormwater entering the subdivision naturally from areas outside of subdivision and the quantities of flow at each pickup point shall be calculated.

(viii) Evidence of adequate water supply and sanitary sewer service - Data addressing the population planned to occupy the proposed subdivision and future development phases and other developments that may need to be served by extensions of the proposed water supply and sewage disposal systems. The resulting domestic, irrigation and fire flow demands shall be expressed in terms of gallons of water needed on an average day and at peak time, and the resulting amounts of sewage to be treated shall be expressed in gallons per day.

(ix) An analysis shall be submitted addressing how water for domestic use and for fire flows is to be provided, along with the collection and treatment of sewage generated by the property to be subdivided.

(x) A statement shall be submitted addressing the quantity, quality and availability of any water that is attached to the land.

(xi) A preliminary estimate of the cost of all required public improvements, tentative development schedule (with development phases identified), proposed or existing covenants and proposed maintenance and performance guarantees. The applicant shall submit, at least in summary or outline form, any agreements as may be required by Section 16-2-70, relating to improvements and dedications.

(xii) If intending to use solar design in the development, include a description of the steps that have been taken to protect and enhance the use of solar energy in the proposed subdivision. This shall include how the streets and lots have been laid out and how the buildings will be sited to enhance solar energy usage.

(xiii) If applicable, a report shall be submitted identifying the location of the one-hundred-year floodplain and the drainage ways near or affecting the property being subdivided. If any portion of a one-hundred-year floodplain is located on the property, the applicant shall also identify the floodway and floodway fringe area. The applicant shall also describe the steps that will be taken to ensure that development locating in the floodway fringe area is accomplished in a manner which meets Federal Insurance Administration standards.

(xiv) If applicable, a report shall be submitted on the location of wetlands, as defined by the U.S. Army Corp of Engineers, on or affecting the property being subdivided. The report shall outline the development techniques planned to ensure compliance with federal, state and local regulations.

(xv) A landscape plan, meeting the specifications of Section 16-8-90.

(xvi) If applicable, a description of how the proposal will comply with the standards of any of the overlays.

(xvii) A site plan for parks, trails and/or open space meeting the requirements of Section 16-6-110 below. If an alternate site dedication or fee in lieu of dedication is proposed, detailed information about the proposal shall be submitted.

(xviii) All development and subdivision naming shall be subject to approval by the City. No development or subdivision name shall be used which will duplicate or be confused with the name of any existing street or development in the City or the County;

11. An access permit from the Colorado Department of Transportation; and

12. A plan for locations and specifications of street lights, signs and traffic control devices.

## 2. REVIEW STANDARDS (If necessary, attach additional sheets)

The application for Limited or Major Impact Review shall comply with the following standards.

**1. Consistency with Comprehensive Plan.** The use shall be consistent with the City's Comprehensive Plan.

Per the 2013 Salida Comprehensive Plan, page 3-6, Zoning Districts, it states, "An appropriate range of housing types will be available to serve the varied lifestyles, ages, and income levels of residents." On page 4-6 it states, "...the vision for the City of Salida to be a place that is affordable for multi-generational population to live, work, play and raise a family. Planning ... will allow the city to be proactive in creating opportunities for current and future residents to remain in the community." Page 6-1, "The existing pattern of a mixture of housing types, family sizes and incomes in Salida neighborhoods is integral to the character of the community. Decent housing should be attainable by all citizens of Salida whether to rent or to own. Affordable housing has been a growing concern in recent years as the increase in housing costs has outpaced wage increases. While Salida may seem to some like an affordable alternative to other Colorado resort communities, rising housing costs have put pressure on local residents to live outside of the municipality, live in sub standard housing or leave the community. Ensuring diverse housing opportunities are available will enhance and support the city's economic and social diversity, and help maintain the sense of community. . . The city recognizes that the cost of infrastructure per household is reduced as density increases and dense housing should be encouraged" On page 6-2, it states, "Salida is not a city of gated communities or income defined neighborhoods. The city was built with functional neighborhoods constructed with a variety of home sizes, styles and income levels. Small multifamily structures were integrated into neighborhoods of large and small single-family homes providing neighborhoods which housed a variety of household sizes and incomes. The diversity of housing types drives the integrated feel of the neighborhoods in Salida and this quality is highly valued." On page 6-6, "Policy H-I.1 – Provide a mix of housing types and densities throughout the city to address a variety of incomes and lifestyles." Page 6-2 states, "The possibility exists for the city to...provid(e) meaningful incentives to developers that provide affordable housing. Other efforts from the city could include the possible allocation of city owned lands for affordable housing projects or offering reduced fees associated with the cost of developing affordable housing." On page 6-4 it states, "Adoption of the Strategic Plan was followed closely by the creation of the Chaffee Housing Trust ("Housing Trust"), a community land trust. Implementation measure #9 from the Strategic Plan states that the city should provide direct support for the Housing Trust.

**2. Conformance to Code.** The use shall conform to all other applicable provisions of this Land Use Code, including, but not limited to:

- a. **Zoning District Standards.** The purpose of the zone district in which it is located, the dimensional standards of that zone district, and any standards applicable to the particular use, all as specified in Article 5, Use and Dimensional Standards.

The new parcel should be zoned R-2 similar to the neighboring properties. Properties adjacent to the proposed lot to the northwest, northeast, and southeast are all zoned R-2. All these properties lie at a lower elevation than properties to the southwest, which lie on a mesa this is higher than rooftops to the northeast. This topographical distinction reflects the change in zoning from R-2 to R-1 for parcels that are on top of the mesa. The resulting parcel (including the vacated right of way) will meet all standards pertinent to R-2. Right of Way vacation will conform to all applicable codes.

- b. **Site Development Standards.** The parking, landscaping, sign and improvements standards,

At the time of development application, the CHT will provide all necessary parking, landscaping, and sign improvements as requested by the City of Salida, and that result from the pre-development public process.

**3. Use Appropriate and Compatible.** The use shall be appropriate to its proposed location and be compatible with the character of neighboring uses, or enhance the mixture of complementary uses and activities in the immediate vicinity.

The proposed use, residential housing, conforms with all neighboring property uses and zoning. As stated in #2 above, the parcel should be zoned R-2 to be compatible with adjacent properties. This project will fill a spatial gap created by the intersection of three streets. Construction of housing on the newly created parcel will create a continuous frontage of housing along the south side of 3<sup>rd</sup> Street, joining the frontage of the homes to the southeast. Refer to the responses to question #1 regarding the appropriateness of affordable housing on this site.

**4. Nuisance.** The operating characteristics of the use shall not create a nuisance and the impacts of the use on surrounding properties shall be minimized with respect to noise, odors, vibrations, glare, and similar conditions.

The operating characteristics, residential use, will not have an impact on neighboring properties. Residents of the future homes created on this lot will be similar to the majority of Salida residents, i.e. regular working families with steady incomes who can responsibly make payments on a mortgage or rent. Per the Community Land Trust model, the CHT will retain ownership to the underlying land, selling or renting the improvements (homes) to qualified county residents. Lease agreements will include provisions for the CHT to respond to any issues of nuisance. Residents may be evicted for failure to comply with lease agreements including nuisance, failure to maintain their residence, or non-compliance with condominium owners association rules and regulations. The CHT will also have the right to remedy any nuisance or failure to maintain the property. These provisions exceed existing provisions for neighboring properties, making the CHT property less likely to be a nuisance than those adjacent or in the neighborhood.

**5. Facilities.** There shall be adequate public facilities in place to serve the proposed use, or the applicant shall propose necessary improvements to address service deficiencies which the use would cause.

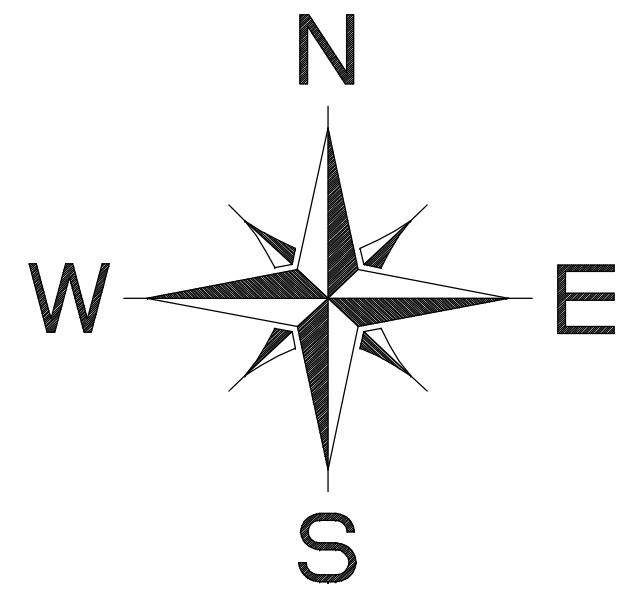
Water and sewer access, as well as electricity, are available on site or adjacent to the site. Access to the existing sewer line that runs down E. Crestone Ave will be ensured by a minimum 20' easement, and no structures will be placed within that easement so that the sewer may be maintained for public benefit, accessible for any future maintenance or repair.

**6. Environment.** The use shall not cause significant deterioration to water resources, wetlands, wildlife habitat, scenic characteristics, or other natural features. As applicable, the proposed use shall mitigate its adverse impacts on the environment.

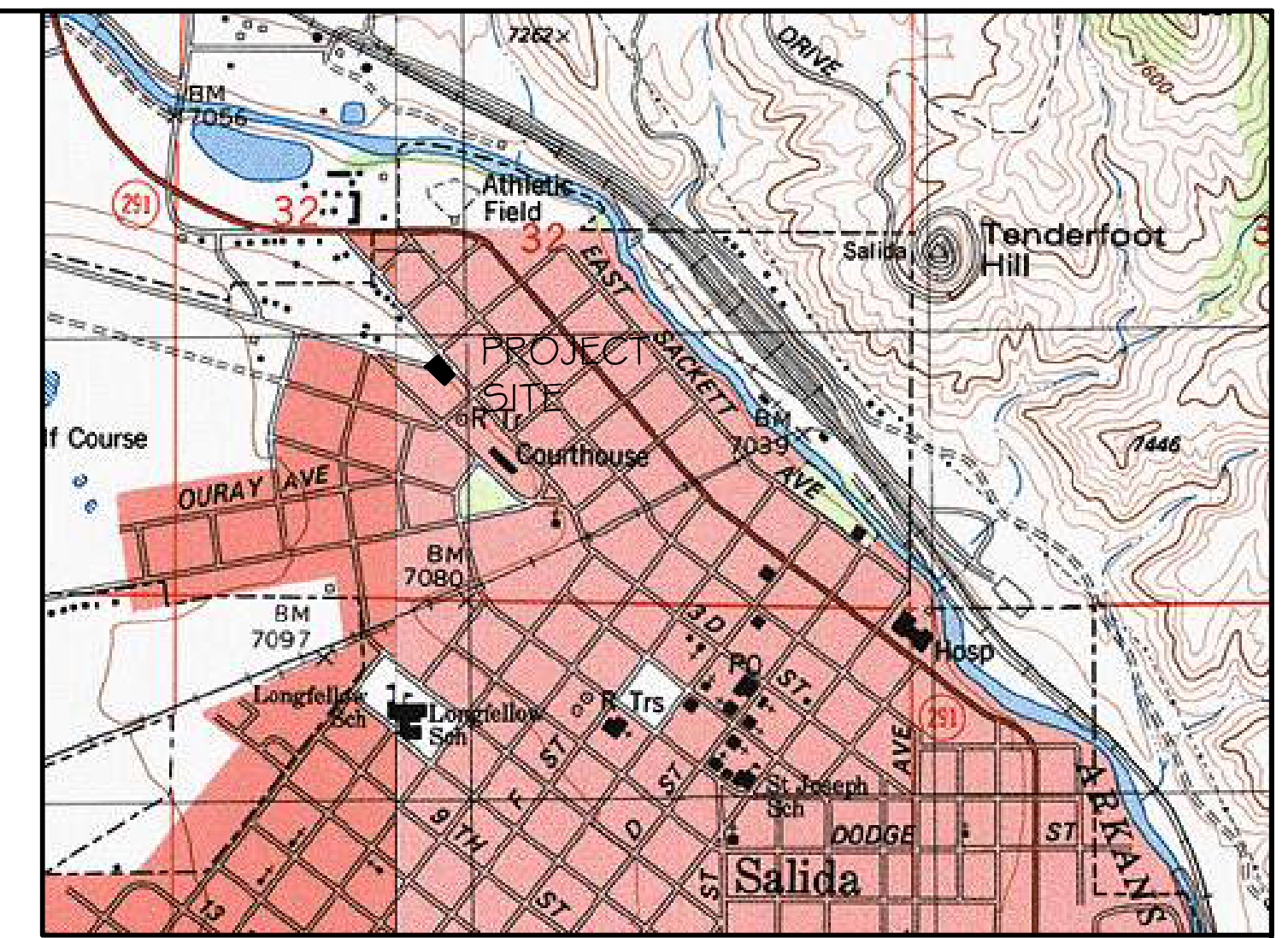
The use will improve the characteristics of the neighborhood by making use of space consumed by redundant streets, currently covered with asphalt or left as neglected and unattended open space. The addition of landscaping and the planting of trees on site will improve the environmental and aesthetic aspects of the site.

# CITY OF SALIDA TOPOGRAPHIC SURVEY

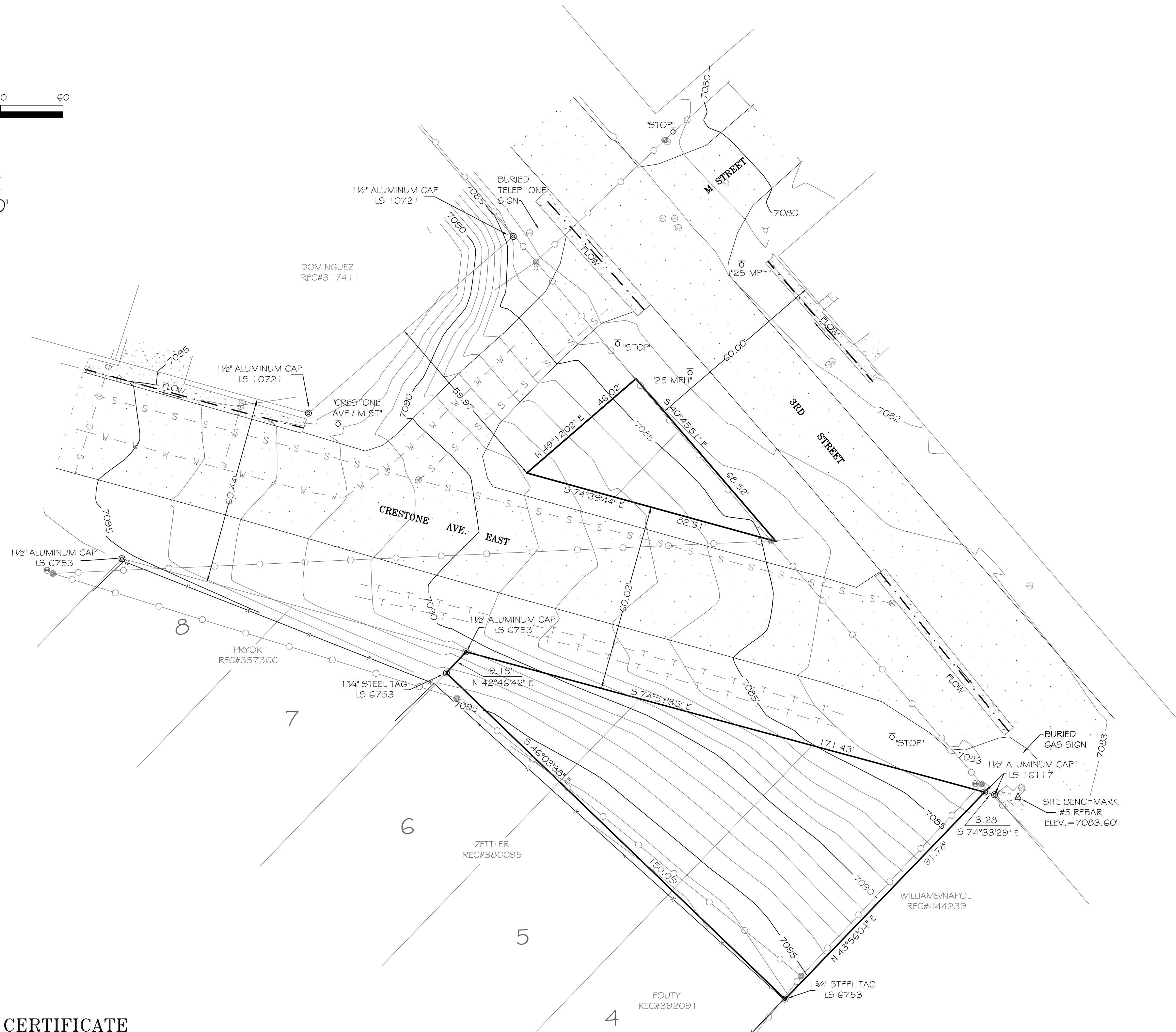
3RD STREET AND "M" STREET  
CITY OF SALIDA  
CHAFFEE COUNTY, COLORADO



SCALE  
1" = 20'



VICINITY MAP  
NOT TO SCALE



## LEGEND

- ⊙ FOUND MONUMENT AS NOTED
- △ SET BENCHMARK
- ⊕ ELECTRIC METER
- ⊙ ELECTRIC TRANSFORMER
- ⊕ TELEPHONE PEDESTAL
- ⊙ WELL
- ⊙ WATER VALVE
- ⊙ WATER METER
- ⊙ POWER POLE
- \* LIGHT POLE
- ⊕ SEWER MAN HOLE
- ⊕ STREET SIGN
- OVERHEAD UTILITY
- ▨ CONCRETE
- x—x— FENCE
- G - G - UNDERGROUND GAS
- S - S - UNDERGROUND SEWER
- E - E - UNDERGROUND ELECTRIC
- T - T - UNDERGROUND TELEPHONE
- W - W - UNDERGROUND WATER

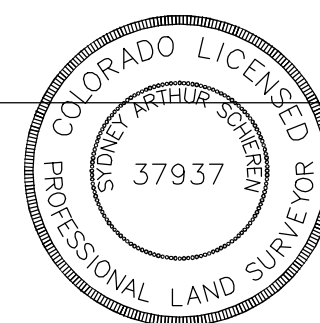
## GENERAL NOTES

- 1) BASIS OF BEARING FOR THIS SURVEY IS GRID NORTH FROM COLORADO STATE PLANE COORDINATE SYSTEM CENTRAL ZONE, BASED ON G.P.S. OBSERVATIONS ALONG THE SOUTHERN RIGHT-OF-WAY OF CRESTONE AVE. EAST BETWEEN A 1/2" ALUMINUM CAP STAMPED "LS 6753" AND A 1/2" ALUMINUM CAP STAMPED "LS 16117" HAVING A BEARING OF SOUTH 74°51'35" EAST.
- 2) ELEVATIONS DEPICTED HEREON ARE BASED ON NAVD83.
- 3) CONTOUR INTERVAL = 1'
- 4) SITE BENCHMARK IS A #5 REBAR SET NEAR THE SIDEWALK ON THE SOUTH-EASTERLY CORNER OF THE SUBJECT PROPERTY HAVING AN ELEVATION OF 7083.60'
- 5) FIELD WORK PERFORMED ON NOVEMBER 18 & DECEMBER 12, 2019.
- 6) UNDERGROUND UTILITIES SHOWN AS MARKED BY OTHERS. LANDMARK SURVEYING & MAPPING TAKES NO RESPONSIBILITY FOR THE ACCURACY OF UNDERGROUND UTILITIES DEPICTED HEREON.

## LAND SURVEYOR'S CERTIFICATE

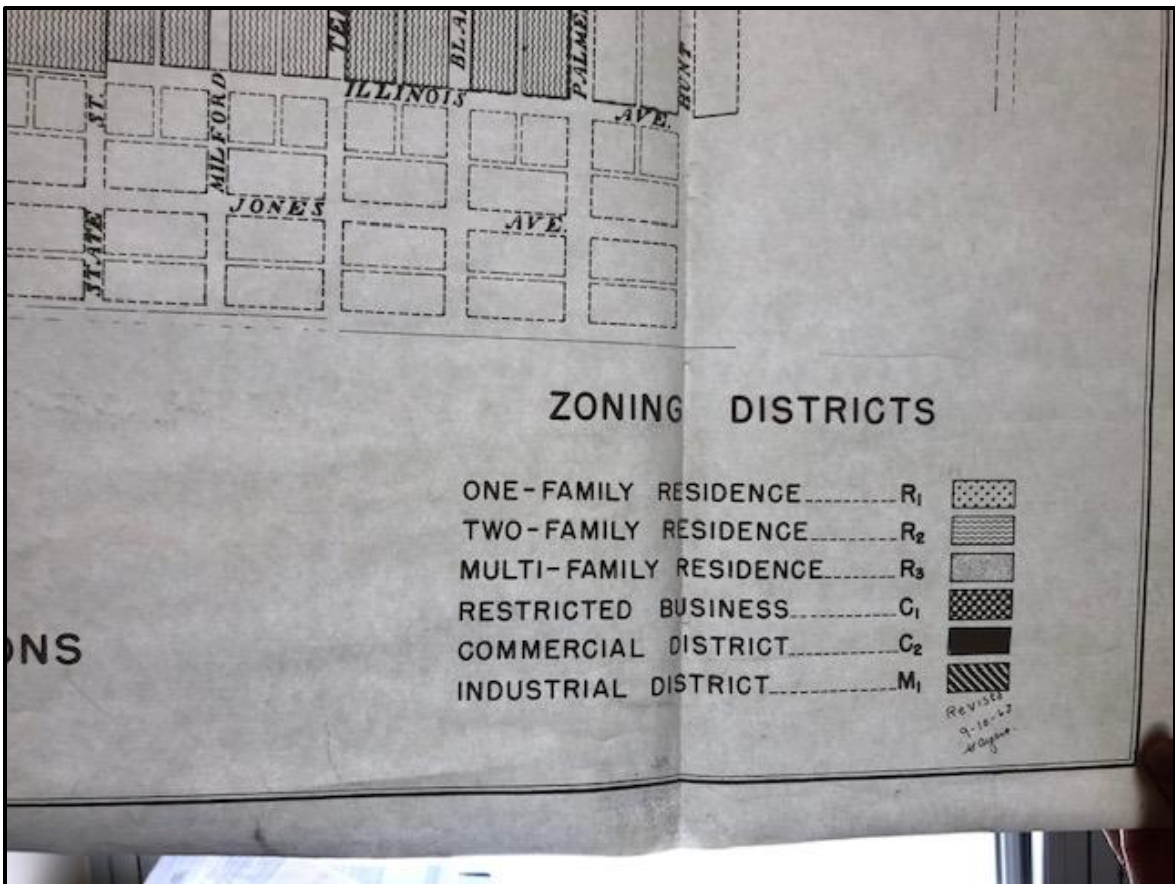
I, SYDNEY A. SCHIEREN, A REGISTERED LAND SURVEYOR LICENSED TO PRACTICE IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS LAND SURVEY WAS PERFORMED UNDER MY DIRECT SUPERVISION, AND THAT THE PLAT REPRESENTS THE RESULTS OF SAID SURVEY AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

SYDNEY A. SCHIEREN  
COLORADO P.L.S. 37937



NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE SURVEYOR'S STATEMENT CONTAINED HEREON.

REVISED: DECEMBER 12, 2019	<b>CITY OF SALIDA TOPOGRAPHIC SURVEY</b> 3RD STREET AND "M" STREET CITY OF SALIDA CHAFFEE COUNTY, COLORADO
JOB # 19242	
DATE: NOVEMBER 19, 2019	
SHEET 1 OF 1	
<b>LANDMARK SURVEYING &amp; MAPPING</b> P.O. BOX 668 SALIDA, CO 81201 PH 719.539.4021 FAX 719.539.4031	



# Conceptual Site Plan for Affordable Housing Development



W. Third St.

M Street

E. Crestone Ave.

RELOCATE UTILITIES

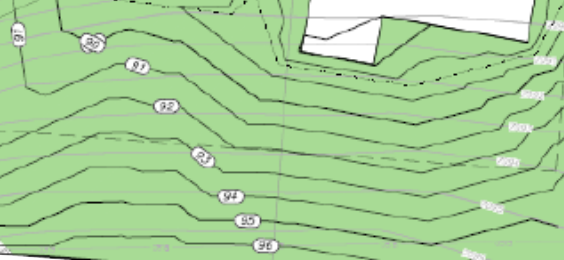
PORCH  
SINGLE UNIT  
1 STORY

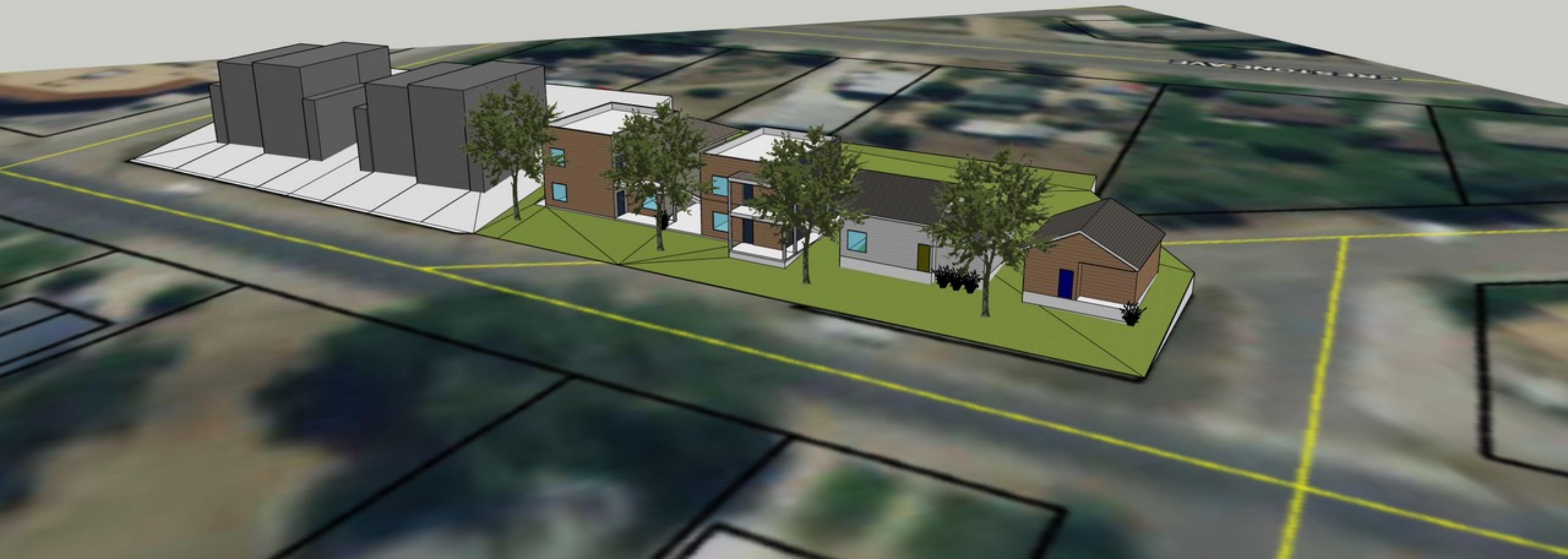
PORCH  
SINGLE UNIT  
1 STORY

PORCH  
UNIT+ADU  
OVER/UNDER  
2 STORY

PORCH  
DUPLEX  
OVER/UNDER  
2 STORY

ROAD BASE PARKING  
LOT (6 SPACES)







## STAFF REPORT

---

**MEETING DATE:** November 28, 2006

**AGENDA ITEM TITLE:** Chavez Rezoning, Lots 3 & 4, Chavez Minor Subdivision

**AGENDA SECTION:** Public Hearing

---

**REQUEST:**

The request is to rezone the subject property from Single-Family Residential (R-1) to Medium Density Residential (R-2).

**APPLICANT:**

The applicants are George and Inez Chavez, 208 Crestone Avenue, Salida, CO 81201.

**LOCATION:**

The subject property described as Lots 3 & 4, Chavez Minor Subdivision. The lots are located at the intersection of Third and 'L' Streets.

**PROCESS:**

An application for rezoning consists of a two-step process. The request is addressed by the Commission through a public hearing process. The Commission makes a recommendation of approval, approval with conditions, or denial of the zoning application to City Council. The Commission may also remand the application back to the applicant for further information or amendment. Council has final decision-making authority in such applications.

In its review of the application, the Commission shall focus on the long term use of the property within the context of the City's Comprehensive Plan and current zoning for the property, as well as the surrounding area. Once the property is zoned, all of the uses permitted within the new zoning district are permitted as uses by right, not just what is proposed at the present time.

**OBSERVATIONS:**

1. The property has recently been replatted to create the four lots of the Chavez Minor Subdivision. Lots 1 and 2 are located along Crestone Avenue. The two subject lots share a rear yard with Lots 1 and 2 and there is a significant grade change from the rear of Lots 1 and 2 down to Third Street and Lots 3 and 4.
2. The purpose of the R-2 zone district is to provide for residential neighborhoods comprised of detached single-family dwellings, duplex dwellings and multi-family residences on smaller lots than are permitted in the Single-Family Residential (R-1) zone district, allowing for slightly greater overall densities.

3. The two lots are each approximately 8,000 square feet in area. In the R-1 zone the only type of housing permitted is single family homes and accessory units. In the R-1 each of these lots could have two units; either a single-family home with an accessory unit or two single family homes as a conditional use. With the R-2 zoning each lot would still be limited to two units of density, but they could be developed as duplexes in addition to the above housing types.
4. The surrounding area along Third Street is zoned R-2 and has been developed consistent with that zone district designation. Across 'L' Street is the county jail and courthouse complex.

**REVIEW STANDARDS FOR MAP AMENDMENTS (Section 16-13-60):**

1. **Consistent with Comprehensive Plan.** The proposed amendment shall be consistent with the Comprehensive Plan.

*Applicant's Response: The request is to rezone Lots 3 & 4, also known as 208 Crestone Ave. This parcel is located on a steep slope facing the 700 block of 3<sup>rd</sup> and "L".*

- The purpose of the Land Use Plan within the Comprehensive Plan is to specify locations in and around Salida where various land uses and intensities of use will be encouraged. The Plan indicates the subject property to be Medium Density Residential. The R-2 zone is consistent with Medium Density Residential.

2. **Consistency with Purpose of Zone District.** The proposed amendment shall be consistent with the purpose of the zone district to which the property is to be designated.

*Applicant's Response: Presently, this property is zoned R-1. However, the area is more compatible to the surrounding area zoned R-2. Directly to the east of the property is the new county jail. Across 3<sup>rd</sup> Street and to the west the neighborhood is zoned R-2.*

- The applicant is requesting a zone district designation of the subject property of Medium Density Residential (R-2). The purpose of the R-2 zone district is to provide for residential neighborhoods comprised of detached single-family dwellings, duplex dwellings and multi-family residences on smaller lots than are permitted in the Single-Family Residential (R-1) zone district, allowing for slightly greater overall densities. Given the geography of the property, it is more associated with the nearby properties on Third Street than with the properties on Crestone that are zoned R-1 and should be developed in a way that is compatible with the Third Street neighborhood.

3. **Compatibility with Surrounding Zone Districts and Uses.** The development permitted by the proposed amendment shall be compatible with surrounding zone districts, land uses and neighborhood character.

*Applicant's Response: The property in question is located next to the county jail. To the northwest of the property are smaller residential lots, an apartment, duplex dwelling, etc. The rezoning of the property from R-1 to R-2 would be conducive and compatible to the neighborhood.*

- The zoning classification of R-2 is consistent with the zoning of adjacent properties along Third Street and would not be a detriment to the R-1 area along Crestone Avenue.

4. **Changed Conditions or Errors.** The applicant shall demonstrate that conditions affecting the subject parcel or the surrounding neighborhood have changed, or that due to incorrect assumptions or conclusions about the property, one (1) or more errors in the boundaries shown on the Official Zoning Map have occurred.

Applicant's Response: *In recent years there have been many changes in the neighborhood in question. The immediate area is now comprised of the new county jail, new duplex dwellings, multi-family residences, smaller lots, etc.*

- This application is a result of the recent subdivision of the Chavez property which created the two lots in question that front on Third Street rather than Crestone Avenue. The geographic separation of the two streets effectively makes these new lots part of the Third Street neighborhood rather than the Crestone neighborhood. These two areas, though very close, do have distinctly different styles with smaller lots and some multi-family development in the Third Street neighborhood and mostly large single-family homes along Crestone Avenue.

**RECOMMENDED FINDINGS:**

1. That the application is in compliance with the review standards for map amendments because an R-2 zone district designation for this parcel implements the comprehensive plan and is compatible with zoning and use of nearby and neighboring properties.

**RECOMMENDED ACTION:**

Based upon the observations, review standards, and findings outlined above, staff recommends the following:

That the Commission recommends approval of the application to rezone the subject property from Single-Family Residential (R-1) to Medium Density Residential (R-2).

**RECOMMENDED MOTION:**

That the recommended findings be made and the recommended action be taken.

Attachments: Chavez Minor Subdivision Plat  
Application



Notes from 3/4/2020 Neighborhood Meeting at Scout Hut regarding E. Crestone AH project/site:

- Slow the process down
- CHT should pay for the survey that was done
- Make the property survey available to the public
- Concern about lowering property values
- Keep current property zoning
- Will there be new setbacks?
- What is the status of the CHT application?
- What precedent will be set by vacation and re-zoning?
- I question Salida's affordable housing survey (does 700 respondents represent a critical mass that is acceptable?)
- Is there any evidence of municipal workers leaving Salida because of being housing burdened?
- Why doesn't the project have rentals
- Historically, Salida has a mix of expensive and less expensive houses
- Get realtor input on how this project would affect current home values
- What would be the effect to changing traffic pattern by vacation of part of Crestone?
- Concern for impending recession & how this will affect the potential CHT buyer
- Why was lot not offered for public sale?
- Sample housing shown are generally objectionable to neighbors
- Concerns about affordability due to excavation requirements
- Tap fees for potential non-affordable housing will be lost under the CHT proposal
- Concerns about increased traffic and fast Sheriff's vehicles on emergency calls
- Are CHT's setbacks on this project the same as anyone else's?
- Would the ADU be income property for an affordable housing buyer?
- HOA fees? How would that affect affordability?
- Safety concerns due to increased traffic. 3<sup>rd</sup> Street is a corridor for traffic heading downtown.
- Traffic study?
- Project would drive traffic to Crestone & Grand Ave, both of which already have traffic issues
- Fire and Police route concerns
- Concern regarding neighbor's vehicle access and egress with work trucks
- Resident does not like the one-way street option for East Crestone
- Also concerns about the turnaround if bottom of E. Crestone is made into a cul-de-sac
- Residents at the meeting are unanimous in opposing CHT building on this lot
- What happens to M Street?
- Adjoining resident is upset that she didn't get the option to purchase the subject property as "backdoor" to her property
- Request to move Planning Commission date to April 27.

# CERTIFICATE OF PUBLICATION

STATE OF COLORADO } SS

County of Chaffee

I, MERLE BARANCZYK,

Being first duly sworn according to law, on oath depose and say, that I am, and at all the times herein mentioned, was the publisher of the Mountain Mail and that said Mountain Mail is a daily newspaper of general circulation, in said County and State, printed and published in the City of Salida, County of Chaffee and State of Colorado, and that copies of each number thereof are, and at all the times herein mentioned were, regularly distributed and delivered, by carrier or mail, to each of the subscribers said newspaper, in accordance with the customary method of business in newspaper offices.

That the annexed

NOTICE OF PUBLIC HEARING

FROM

THE CITY OF SALIDA, COLORADO

AND

THE CITY OF SALIDA PLANNING COMMISSION

In the matter of:

RIGHT OF WAY VACATION AND RE-ZONING APPLICATION

SUBMITTED BY:

THE CITY OF SALIDA, COLORADO

REQUEST FOR PROPERTY KNOWN AS:

EAST CRESTONE AVENUE LOCATED WITHIN STRIP C OF  
EDDY BROTHERS ADDITION

(BETWEEN M STREET AND W. THIRD STREET) AND

TO RE-ZONE THE PARCEL KNOWN AS

PART LOT 4-6 STRIP C OF EDDY BROTHERS ADDITION,

SALIDA FROM SINGLE-FAMILY RESIDENTIAL (R-1) TO

MEDIUM-DENSITY RESIDENTIAL (R-2)

This is a true copy of the original, and the same was regularly published in the newspaper proper and not in a supplement, for the full period of ONE (1) INSERTION

of said newspaper, and that the first publication was in the issue dated JULY 31ST, 2020

and that the last publication of the same was in the issue dated JULY 31ST, 2020

and the said Mountain Mail has been established, printed and published for the full period of fifty-two consecutive weeks, and continuously and uninterruptedly prior to the said date of the first publication of the notice aforesaid, in the City of Salida, County of Chaffee and State of Colorado, and is a newspaper duly qualified for the publishing of said notice within the meaning of an Act of the General Assembly of the State of Colorado, approved May 30th, 1923, and entitled "An act to Amend an Act Entitled 'An Act Concerning Legal Notices, Advertisements and Publications and the Fees of Printers and Publishers thereof, and to Repeal all Acts and Parts of Acts in Conflict with the Provisions of this Act'," and within the meaning of an Act amendatory thereof, approved May 18th, 1931 and entitled "An Act to Amend Section 4, of Chapter 139, Session Laws 'of Colorado, 1923, relating to Legal Notices and Advertisements," and within the meaning of any and all other Acts amendatory thereof or supplemental thereto. And further affiant saith not.

The above certificate of publication was subscribed and sworn to before me by the above named Merle Baranczyk who is personally known to me to be the identical person described in the above certificate, on the 31ST Day of JULY, 2020 A.D. FEIN #84-0718607

CHERYL ANN JACKSON, NOTARY PUBLIC-ID#19904011937  
STATE OF COLORADO/COUNTY OF CHAFFEE  
My Commission Expires: September 13<sup>th</sup>, 2022

CHERYL ANN JACKSON  
Notary Public  
State of Colorado  
Notary ID # 19904011937  
My Commission Expires 09-13-2022

## PROOF OF PUBLICATION

### PUBLIC NOTICE NOTICE OF PUBLIC HEARING BEFORE THE CITY COUNCIL FOR THE CITY OF SALIDA CONCERNING A RIGHT OF WAY VACATION AND REZONING APPLICATION

TO ALL MEMBERS OF THE PUBLIC AND INTERESTED PERSONS: PLEASE TAKE NOTICE: that on August 18th, 2020 at or about the hour of 6:00 p.m., a public hearing will be conducted by the Salida City Council at City Council Chambers, 448 East First Street, Salida, Colorado to vacate a portion of a street known as East Crestone Avenue located within Strip C of Eddy Brothers Addition (between M Street and W. Third Street) and to rezone the parcel known as Part Lot 4-6 Strip C of Eddy Brothers Addition, Salida from Single-Family Residential (R-1) to Medium-Density Residential (R-2). Complete legal descriptions are available at City Hall.

The general purpose of the applications is to consolidate existing City-owned properties on either side of the vacated right-of-way and result in a parcel that may be developed in accordance with the development standards of the R-2 district. Subsequent approval requests will be required in order to construct up to six affordable housing units. Interested individuals may make comments during the public hearing in person (abiding by social distancing standards) or via GoToWebinar at: <https://attendee.gotowebinar.com/register/8402368210594753549>. Comments may also be submitted via email ahead of time to [bill.almquist@cityofsalida.com](mailto:bill.almquist@cityofsalida.com) by 12:00pm on August 18th. Further information on the application may be obtained from the Community Development Department by calling (719) 530-2634. To review the City's social distancing policy and other regulations, please visit <https://cityofsalida.com/covid-19info/>.

Published in The Mountain Mail July 31, 2020

CPAXLP

# CERTIFICATE OF PUBLICATION

STATE OF COLORADO } SS

County of Chaffee

I, MERLE BARANCZYK,

Being first duly sworn according to law, on oath depose and say, that I am, and at all the times herein mentioned, was the publisher of the Mountain Mail and that said Mountain Mail is a bi-weekly newspaper of general circulation, in said County and State, printed and published in the City of Salida, County of Chaffee and State of Colorado, and that copies of each number thereof are, and at all the times herein mentioned were, regularly distributed and delivered, by carrier or mail, to each of the subscribers said newspaper, in accordance with the customary method of business in newspaper offices.

That the annexed PUBLIC NOTICE

BY \_\_\_\_\_

THE CITY OF SALIDA, COLORADO

THE SALIDA CITY COUNCIL

In the matter of \_\_\_\_\_

IN FULL: \_\_\_\_\_

ORDINANCE NO. 10 (SERIES OF 2020)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO

REZONING CERTAIN REAL PROPERTY OWNED BY THE CITY OF SALIDA

FROM SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1)

TO MEDIUM-DENSITY RESIDENTIAL DISTRICT (R-2)

This is a true copy of the original, and the same was regularly published in the newspaper proper and not in a supplement, for the full period of ONE (1) INSERTION

of said newspaper, and that the first publication was in the issue dated JULY 14TH, 2020

and that the last publication of the same was in the issue dated JULY 14TH, 2020

and the said Mountain Mail has been established, printed and published for the full period of fifty-two consecutive weeks, and continuously and uninterruptedly prior to the said date of the first publication of the notice aforesaid, in the City of Salida, County of Chaffee and State of Colorado, and is a newspaper duly qualified for the publishing of said notice within the meaning of an Act of the General Assembly of the State of Colorado, approved May 30th, 1923, and entitled "An act to Amend an Act Entitled 'An Act Concerning Legal Notices, Advertisements and Publications and the Fees of Printers and Publishers thereof, and to Repeal all Acts and Parts of Acts in Conflict with the Provisions of this Act,'" and within the meaning of an Act amendatory thereof, approved May 18th, 1931 and entitled "An Act to Amend Section 4, of Chapter 139, Session Laws 'of Colorado, 1923, relating to Legal Notices and Advertisements," and within the meaning of any and all other Acts amendatory thereof or supplemental thereto. And further affiant saith not.

Pursuant to C.R.S. 24-70-103(5) this notice has also been posted online and available at: <https://www.themountainmail.com> and posted online and available at Colorado Press Association Network-Colorado Public Notice Database at:

<https://www.publicnoticecolorado.com>.

The above certificate of publication was subscribed and sworn to before me by the above named Merle J. Baranczyk, who is personally known to me to be the identical person described in the above certificate, on the 14TH Day of JULY, 2020 A.D. FEIN # 84-0718607

**CHERYL ANN JACKSON, NOTARY PUBLIC-ID#19904011937**

**STATE OF COLORADO/COUNTY OF CHAFFEE**

**My Commission Expires: September 13<sup>th</sup>, 2022**

CHERYL ANN JACKSON  
Notary Public  
State of Colorado  
Notary ID # 19904011937  
My Commission Expires 09-13-2022

## PROOF OF PUBLICATION

### PUBLIC NOTICE CITY OF SALIDA, COLORADO ORDINANCE NO. 10 SERIES OF 2020

**AN ORDINANCE OF THE CITY OF SALIDA, COLORADO, REZONING CERTAIN REAL PROPERTY OWNED BY THE CITY OF SALIDA FROM SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1) TO MEDIUM-DENSITY RESIDENTIAL DISTRICT (R-2)**

WHEREAS, on February 6, 2020, an application was filed to commence proceedings to rezone a tract of land owned by the City of Salida ("the City") comprised of approximately 7,405 square feet located at the intersection of East Crestone Avenue and West Third Street and being more particularly described as PT Lot 4-6 Strip C of Eddy Brothers Addition, Salida, County of Chaffee, State of Colorado (the "Property"); and

WHEREAS, Section 16-4-210 (a) of the Salida Municipal Code states an amendment to the Zoning Map may be initiated by the City Administrator or the owner of the Property; and

WHEREAS, the City is the owner of the Property and is co-applicant on the rezoning request along with Chaffee Housing Trust, a 501.C.3 nonprofit, who is in discussions with the City regarding a potential affordable housing development on the site per the direction of the City Council on July 16, 2019 and October 15, 2019; and

WHEREAS, as required by the Salida Municipal Code, a public hearing on the zoning application for the Property was held on June 22, 2020 by the Planning Commission who found that the review standards for rezoning were met and forwarded a positive recommendation to the City Council; and

WHEREAS, a public hearing was held by the Salida City Council on August 4, 2020.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO, THAT:**

1. The aforementioned recitals are hereby fully incorporated herein.
2. The Property described above is hereby zoned Medium Density Residential (R-2).

3. Promptly following adoption of this Ordinance, the City Administrator shall cause the terms of this Ordinance to be incorporated into the Official Zoning Map of the City pursuant to Section 16-4-210 of the Salida Municipal Code. The signed original copy of the Zoning Map shall be filed with the City Clerk. The Clerk shall also record a certified copy of this Ordinance with the Chaffee County Clerk and Recorder. The City staff is further directed to comply with all provisions of the Salida Land Use Regulations, SMC §16-1-10, et seq., to implement the provisions of this Ordinance.

INTRODUCED ON FIRST READING, on July 7, 2020, ADOPTED and ORDERED PUBLISHED IN FULL in a newspaper of general circulation in the City of Salida by the City Council on the 14th day of July, 2020 and set for second reading and public hearing on the 4th day of August, 2020.

INTRODUCED ON SECOND READING, FINALLY ADOPTED and ORDERED PUBLISHED BY TITLE ONLY, by the City Council on the 4th day of August, 2020.

CITY OF SALIDA, COLORADO

P.T. Wood, Mayor

[SEAL]  
ATTEST:

City Clerk/Deputy Clerk  
Published in The Mountain Mail July 14, 2020



Bill Almquist <bill.almquist@cityofsalida.com>

---

## letter from Alexandra Restrepo

---

gladis hemp <gladisin420@gmail.com>  
To: bill.almquist@cityofsalida.com

Thu, Aug 13, 2020 at 8:30 AM

August 12, 2020

Dear Salida City Council,

I have been a Salida resident since 2014. As a young person, I worked in numerous restaurants in town, sometimes several at the same time, to pull together enough income to pay my rent and my bills. In May 2019, I purchased my first home through the Chaffee Housing Trust.

Affordable housing has changed my life so much in a positive way as a young home owner. It has made my dream of owning my home come true which I never thought would have happened in a town like Salida where the prices are so high.

Affordable housing is a viable solution for the youth community, the future generations that don't necessarily have access to dignified living spaces due to lower income. Affordable housing guarantees that people with low income will have a home to offer their family. This also gives them mental and emotional stability. Owning my home, with low payments I can afford, established myself, and now I can begin to succeed in life.

To give other young people like me a chance, I support the the vacation of East Crestone Ave!

Alex Restrepo  
202 Old Stage Road, Unit D  
Salida, CO 81211



## OFFICE OF HOUSING

PO Box 699  
448 E. 1<sup>ST</sup> STREET, SUITE 225  
SALIDA, CO 81201  
PHONE (719) 530-2590  
WWW.CHAFFEECOUNTY.ORG

Date: May 27, 2020

To: Salida City Council and Salida Planning Commission

CC: Salida Administrator, Drew Nelson  
Salida Mayor, P.T. Wood  
Salida Community Development Director, Glen VanNimwegen

Re: Support for Permanently Affordable Housing Project on East Crestone

Dear Esteemed Colleagues,

It has been a pleasure to serve the City of Salida and all of Chaffee County as the Director of the Office of Housing for the past two years, and I commend Salida's elected and appointed officials for the work you have done to increase the stock of affordable living units available to your residents.

As our community works together to navigate through the novel Coronavirus pandemic, it is becoming more apparent to many that housing insecurity in Chaffee County is very real, and that many of our residents are experiencing it for the first time – or for the first time in a long time. The Office of Housing and the Department of Human Services are seeing an increase in the number of requests for rent and deposit assistance, and advocates in the affordable housing industry are preparing to see a wave of relocations and evictions among low-income renters in the very near future. Therefore, the actions you are taking now to increase the availability of permanently affordable housing is more important than ever.

I applaud your creativity in identifying publicly owned locations where housing might be appropriate and seeking out partnerships to increase Salida's supply of permanently affordable housing. The City owned parcel on East Crestone Avenue near M Street would be very difficult to bring into productive use without the creative approach you are taking. The proposed

neighborhood improvements that could result from this plan, including eliminating confusing and unnecessary intersections and burying overhead powerlines, will benefit the entirety of the community. Those improvements will then allow the two city-owned parcels to be brought back into productive use, and through partnerships, will create permanently affordable housing.

One of the best features of Salida is it's inclusivity, and this location can be a prime example of integrating workforce housing into a rapidly increasing housing market. The homes that will potentially occupy that space will provide their residents with easy access to the Salida trail system, schools, grocery and other shopping, as well as the rich cultural environment downtown, while remaining permanently affordable.

The Office of Housing is poised to support this project in whatever capacity is appropriate, and I look forward to watching this collaboration unfold. I offer gratitude for the creative approach you are taking to encourage the creation of additional permanently affordable homes.

Respectfully,

Becky Gray  
Director of Housing, Chaffe County  
719-239-1398  
bgray@chaffeecounty.org



Bill Almquist <bill.almquist@cityofsalida.com>

---

## East Crestone Avenue

---

Ken Fouty <ckfouty@gmail.com>

Mon, Jun 22, 2020 at 2:57 PM

To: Bill Almquist <bill.almquist@cityofsalida.com>, dan.shore@salidaelected.com

Cc: NO Ecrestone <nocht.ecrestone@yahoo.com>

To the Board:

First let me express my dismay that the city would rather give away a piece of property versus letting an adjacent homeowner purchase it. I will remain mystified by why it was so hard for a private citizen to buy this lot. In addition I have never experienced having an elected official refuse to come hear citizen comments. (And I'm from a small town and attended meetings in that town when controversial items were discussed.)

I am saddened I am not able to attend as I would like to know my voice is heard.

Here are our concerns:

1. I am in favor of affordable housing that makes sense. I wholeheartedly support families having the security of their own space when it's. This project does not really have affordable land. The City of Salida (local taxpayers) is spending lots of money on a very small plot of land so that it's buildable. (what is final cost/square foot versus a typical city lot?).
2. These lots are NOT family friendly. (From 3rd Street to 291 , the only sidewalks are at 3rd and L.) So I cannot support based on safety alone.
3. I would support affordable housing on land donated by the city on the property that surrounds the golf course or other suitable sites around the city that don't call for major excavation and development at taxpayer expense to have them be buildable. We were given the impression earlier this year that multiple lots had been considered and 2 of those lots border the golf course. These would be easier to develop and safer. In addition, maybe those lots would allow yards since these lots won't have yards and minimal parking.
4. Since my backyard faces this property, I can state that East Crestone is a very busy two way street. The first week of June, on a weekday afternoon in a two hour span, 8 law enforcement vehicles used East Crestone and one EMS vehicle. This traffic is fairly typical.
5. East Crestone is used often and by many. In the current times, a proper usage rate cannot be determined. The locals, in my unofficial study, that I have asked use 3rd to East Crestone to Grant as the preferred route on their way to Highway 50. Losing East Crestone will increase traffic in and around the courthouse.
6. What improvements will be made to Crestone and Poncha Boulevard for the increased usage? Same question for L and Crestone? All costs to improve these intersections to account for increased traffic must be captured as part of the East Crestone costs so the taxpayers are aware of the full cost. Do any of the current courthouse traffic concerns take into account the East Crestone change and if not shouldn't it? Again, more cost for the taxpayers.

In summary, this appears to be the worst use for this land. Why can't that neighborhood utilize this as park land?

Sincerely,  
Catherine Kramer-Fouty

July 30, 2020

Dear Mayor and City Council Members:

I am writing in regard to the transfer of property at M and 3<sup>rd</sup> Streets to Chaffee Housing Trust (CHT). CHT has demonstrated its ability to provide attractive and functional housing, both for ownership and rent, at 50% to 80% AMI for residents in our community. I urge you to support this housing project.

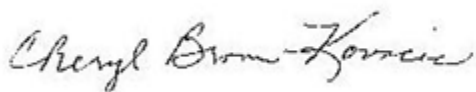
Although the City has provided funds to housing organizations and instituted policies to support a variety of housing types, this will be an action that directly results in a brick and mortar project in the city. CHT has been a reliable and valuable partner, demonstrating its ability to qualify applicants, assist with obtaining loans, find grants to cover down payments, raise funds that supplement pricing to ensure that it is at an acceptable level and construct housing within a reasonable amount of time. The previous CHT project at Two Rivers has been well received and after checking with Tom Pokorny, I can assure you that its implementation did not impact the market value for sale of lots in the subdivision nor the value of the houses in that development. Those living in CHT housing have been well received in the neighborhood and have added to the positive interactions of the housing association and the neighborhood community.

I have a great deal of respect for this CHT and its director, Read McCulloch. It is regretful that this process has resulted in efforts to tarnish the reputation of a person and organization of integrity. Mr. McCulloch has devoted years to providing housing for those unable to reach median housing prices in our county and has shown himself to be honest, honorable, and hard-working. I believe that CHT housing will add to the 3<sup>rd</sup> Street neighborhood, rather than detract from it, and that it will not devalue the property on the street. I also believe that the small number of CHT units will not impact the traffic on the street, most of which comes from using 3<sup>rd</sup> Street as an access route into the center of the city from Highway 291.

This project is one step in tackling the shortage of a variety of housing within Salida. We need many approaches to fill the gaps in housing for the many economic ranges that exist in the community. Housing needs have for many years been a priority and the Chaffee County Needs Assessment has shown that ensuring a variety of housing types is a critical step in meeting the needs of the community.

I urge you to follow through with this project and hope that many similar projects can come to fruition in the future.

Sincerely,



Dr. Cheryl Brown-Kovacic



Bill Almquist <bill.almquist@cityofsalida.com>

---

## Affordable housing

2 messages

---

christine@millcreekcolorado.com <christine@millcreekcolorado.com>  
To: "bill.almquist@cityofsalida.com" <bill.almquist@cityofsalida.com>

Tue, Aug 11, 2020 at 8:41 PM

Good afternoon,

I am writing this letter to address the importance of affordable housing in Chaffee County, a little background about me, I used to live in Coaldale 20+ years ago and I keep telling myself "I wish I would've bought in Salida then". Fast forward life happened, I left the area and recently came back a few years ago. I am now a single Mom, I have a great career/job with HRRMC, I've been working for my Doctor for almost 3 years and make decent money, I love living in a small community to raise my child, but the cost to live here is insane. Unfortunately if people continue to come here and purchase for asking prices and above, the market will always be out of reach for people like me that make this community thrive. Having this opportunity to purchase a home for my child and I was a proud moment, it was affordable, my mortgage is less than rent, "this is home". One term I would like to use is "stability", for me it is the worst feeling paying rent not knowing if I will be there long term or if I will have to find another place to rent, moving from home to home is not stable, my child doesn't feel secure, not sure when you may have to move again and again, the ability to purchase this home gave my child and I stability!!! It is so important to continue providing affordable housing for those of us who are part of the community who don't have the means to purchase a home here due to the market.

Please note I support for the Council to vacate the section of E. Crestone Ave adjacent to Third Street.

Thank you for your time,

Christine Engle  
[christine@millcreekcolorado.com](mailto:christine@millcreekcolorado.com)

---

christine@millcreekcolorado.com <christine@millcreekcolorado.com>  
To: "bill.almquist@cityofsalida.com" <bill.almquist@cityofsalida.com>

Tue, Aug 11, 2020 at 8:54 PM

Please forgive me, I did not introduce myself on my prior email. I purchased a home at 2 Rivers last year, thanks to Chaffee County Housing. I was tired of paying rent and wanted to purchase in Salida, but couldn't afford the homes here. I have been in my home for a little over a year, I am a proud homeowner and truly grateful for the assistance from Read McCulloch and Chaffee County Housing, could not have done it without them. My only option was struggle to pay rent or quit my job in health care and move away, affordable housing is crucial.

Christine Engle  
[christine@millcreekcolorado.com](mailto:christine@millcreekcolorado.com)



---

## E. Crestone public hearing comments

---

David Martin <dakotaw2k1@yahoo.com>

Wed, Jun 17, 2020 at 8:08 AM

To: Bill Almquist <bill.almquist@cityofsalida.com>

The city of Salida and Chaffee Housing Trust (CHT) are moving forward with their development plans of donating land to CHT (intersection of Third Street and East Crestone Avenue), vacating a section of East Crestone Avenue. The plan includes:

- Donating the land (section of East Crestone, section of M Street, and the two triangles of land) to CHT.
- Removing a section of the existing avenue (East Crestone Avenue, recently paved with new asphalt and street gutters – wasted taxpayer money).
- Creating one-way traffic flow on East Crestone and M Street (this will be Salida's only one-way street), which will end two-way access to homes on East Crestone Avenue and the Mesa.
- Reworking a section of West Third Street.
- Reworking M Street.
- Reworking East Crestone with a cul-de-sac (which will become a parking lot for the six proposed affordable/low-income units) on the newly vacated section of land that the city of Salida plans to donate to CHT.

CHT will also get reduced water tap fees, as per Salida's Planning Commission (Bill Almquist).

Estimate of what is being donated by the city of Salida to CHT for affordable homes at the East Crestone Avenue development site:

1. The land: \$350,000.
2. Street rework: \$150,000.
3. Reduced new water tap fees (normally \$17,000 per tap) for six units: \$51,000.
4. Moving of power lines: \$25,000.
5. The survey/platting of the land: \$3,000.
6. Time and labor of city of Salida Planning Commission, Public Works and street departments, bidding of the street rework, meetings, etc.: \$30,000.
7. Rezoning: \$10,000.
8. Sidewalks: \$20,000.

9. Property/building inspections: \$5,000.

Estimate of donation/giveaway: \$644,000.

Wow! This project is labeled as “affordable housing.” Affordable for whom? It’s affordable for the six lucky families (chosen by CHT) that will get to live there and receive assistance if they can’t make their house note. It becomes “affordable housing” because of the six-figure dollar donations.

I challenge City Treasurer Merrell Bergin to run the numbers and publish what the estimated dollar amounts are of this project and the current expenditures to current date.

CHT should withdraw their application to vacate and rezone East Crestone and West Third Street for “affordable housing.” The inclusionary ordinance provides for affordable housing in new developments and subdivisions.

And as a safety issue: West Third street is already a busy road. Don’t introduce 50 trips per day by the estimated 20 residents, six units and additional 12 cars onto this road.



Bill Almquist <bill.almquist@cityofsalida.com>

---

## E. Crestone public hearing comments, cont'd

---

David Martin <dakotaw2k1@yahoo.com>

Wed, Jun 17, 2020 at 8:12 AM

To: Bill Almquist <bill.almquist@cityofsalida.com>

The city needs to answer/address the concerns of Nancy:

CHT, council owe explanation

May 20, 2020

Dear Editor:

In an April 9 letter, Willie Dominguez made a bold claim: Chaffee Housing Trust (CHT) built eight “affordable” units in the Two Rivers complex which were supposed to sell for \$170,000, but actually sold for \$266,800.

If true, this is a scandal. CHT made a deal with the developer and Salida officials. In lieu of building affordable housing themselves, the developer would deed this property to CHT to build affordable housing. Were these units then sold at market value, not as “affordable”? What is the truth?

In an Oct. 26, 2018, Ark Valley Voice article, CHT Executive Director Read McCulloch said this project is important because it’s the first time a project like this has been created in rural Colorado. These units will be built and offered at 80 percent area median income – making home ownership possible for first-time homebuyers. “That means we have gotten concessions so that the homebuyer cost will be \$170,000.” So, the promised \$170,000 price tag claim is true.

What about the sale price? A check of the Chaffee County assessor’s website shows six of the eight units sold between April 12, 2019, and May 30, 2019, for \$266,800. (The other two were transferred to ownership of “Read McCulloch-director.” Are they rentals?) Between the Oct. 26, 2018, statements by McCulloch and the first sale six months later, the sale price increased an astounding \$96,800 per unit.

Where is enforcement from the city of Salida? Was there any language in the contract forcing CHT to sell at the promised \$170K? Was it known the sale price would be promised at \$170K, then jacked up to \$266K just months later? Where did all that extra money go?

It might be a coincidence, but in the May 1 Mountain Mail McCulloch is quoted discussing the current city of Salida plan to give CHT land at Third and Crestone to build five “affordable units”:

“He said development homebuyers’ current unit prices are around \$180,000. They were \$170,000 in 2019 and by the time construction possibly begins in 2021, prices could be as high as \$190,000, but they do not know yet.” Huh! He is still saying prices for his units were \$170K in 2019, even though this proved to be false.

CHT and Salida city government first promised us sun, moon and stars with the Salida Crossings development. After an expensive special election in September 2018, Salida Crossings was never built – and no one has ever explained why. The city and Mountain Mail have avoided this story like the proverbial plague.

The Two Rivers “affordable” units were sold at 157 percent of the promised price.

Now we’re supposed to trust CHT with free land at Third and Crestone?

It appears to me Chaffee Housing Trust operates less like a nonprofit and more like a development company. The only difference is the seed money and land are donated by taxpayers, and CHT reaps the reward. Both CHT and Salida City Council owe a thorough explanation.

Nancy Dominick,

Salida

Sent from [Mail](#) for Windows 10



Bill Almquist <bill.almquist@cityofsalida.com>

---

## More E. Crestone public hearing comments

---

David Martin <dakotaw2k1@yahoo.com>

Wed, Jun 17, 2020 at 8:33 AM

To: Bill Almquist <bill.almquist@cityofsalida.com>

The following needs to be made available to all parties participating in any E. Crestone hearings/meetings to ensure a fair and just decision is attained:

1. Any and all prior records of any and all costs associated with street repairs, roadwork, roadwork engineering, including any repaving for East Crestone Avenue within the last five years.
2. Any and all records, communications, reports, studies, related to landslide hazard, land slump, and appropriate mitigation of landslide and land slump hazards, and any and all associated cost of mitigation including but not limited to geotechnical studies, hazard insurance, retaining walls, etc.
3. Any and all cost projections associated with the leveling of the proposed site at East Crestone and West Third Street to create a level building site.
4. Any cost projections, estimates, communications, or other information related to construction of a retaining wall related to the proposed project at East Crestone and West Third Street. Any and all communications, reports, or other information related to obtaining hazard insurance to protect any and all structures from landslides or slump.
5. Copy of any geotechnical study of the proposed site at East Crestone and West Third Street, or any and all communications related to the stability or instability of the proposed site, and the need for a geotechnical study prior to any and all construction.
6. Any and all records of any vehicle or pedestrian accidents at or near the the proposed site at East Crestone and West Third Street. Any and all traffic studies, communications, reports, or other records describing or detailing pedestrian or vehicle accidents at or near the the proposed site at East Crestone and West Third Street or concerns related to the safety of this location.

7: Any and all records communicating with Chaffee County Sheriff department regarding traffic changes / impacts to East Crestone & West 3rd Street this housing project could impact.

8: Any and all records regarding wildlife studies.

9: Any and all records regarding why prior attempts by the City of Salida to develop this property was

terminated or abandoned.

10: All real costs a private citizen would pay for utilities to develop a residential site. (not reduced developer costs such as discounted water tap fees, Excel energy single source franchise fees, etc..).

11: Were any other potential developers of this project considered ?

12: Were other property offers to purchase this site considered current timeframe and through previous years ?

13: Labor hours/cost of all City personnel and costs incurred by the city including attorney fees, surveys, etc associated with the E. Crestone project.



Bill Almquist <bill.almquist@cityofsalida.com>

---

## NO To East Crestone Vacation and CHT

---

John Strom <stromco@att.net>

Mon, Jun 22, 2020 at 9:15 AM

To: "bill.almquist@cityofsalida.com" <bill.almquist@cityofsalida.com>

Dear Bill,

Just say NO to the East Crestone proposal.

This is an important matter. The decision affects all of us. It needs to be voted on by all of the citizens of Salida. This decision should be made by referendum not by just a few.

This is red-lining at its worst by and for special interests.

Thank you for your consideration.

Best regards,

Dellann Strom  
146 Mesa Circle

*Earl Allen Pfeiffer*  
*457 Shannon Road*  
*Totopaxi, CO 81223*  
719-275-1021 ~ [Earlbuildshomes@aol.com](mailto:Earlbuildshomes@aol.com)

August 11, 2020

Salida City Commission  
Salida Colorado

**RE: Vacation of East Crestone Avenue R.O.W.  
Attainable Housing Development**

Greetings,

I am a retired affordable housing professional having constructed over 1,000 single family homes, townhomes and apartments for the past 30 years. These homes were made available to clients under 80% of the area Median Income. My last tenure was Executive Director of Florida Home Partnership for 20 years. Please see attached letter of introduction from the USDA, Rural Development office. I am loosely affiliated as volunteer with Chaffee Housing Trust (CHT) providing them with guidance and consultation.

The secret to my success for 30 years has been developing effective partnerships with the communities I worked and developed in. Typically, it takes many layers of subsidies and other considerations to make housing truly affordable for low to moderate income households. Unfortunately, as time goes on, these partnerships and subsidies become more necessary as construction, land and other costs continue to escalate.

I have utilized municipal jurisdictions in partnerships very successfully for 30 years. Jurisdictions can provide reduced impact and permit fees, density bonuses and relaxed development guidelines for attainable, affordable workforce housing in addition to funding considerations and pass through federal funds to make housing truly more affordable. In-kind land contributions are also a very effective tool.

NIMBY'ism is an ugly part of almost every affordable housing development I have been associated with, until the Developer is recognized for the good work they accomplish. Salida is certainly no exception. Housing for educators, construction and trades workers, first responders, medical workers and service/tourism industry is in short supply not only in Salida, but throughout our region.

Without attainable housing, business and communities lose their abilities to compete and remain competitive. Affordable workforce housing is in the public good. CHT has developed an attractive collection of designs which will ultimately help to defer NIMBY attitudes of the community. CHT also works with their clients to educate them on how to be good homeowners and integrate seamlessly into the community. This is an effective strategy that helps workforce homebuyers become contributing, integral members of the community over time.

Attainable housing is very much developed through in-fill projects where building lots are in short supply. The Crestone Avenue site appears well suited for a partnership like the proposed one. Land Use Restrictive Agreements (LURAs) are often used in public-private partnerships when public land or funds are utilized.

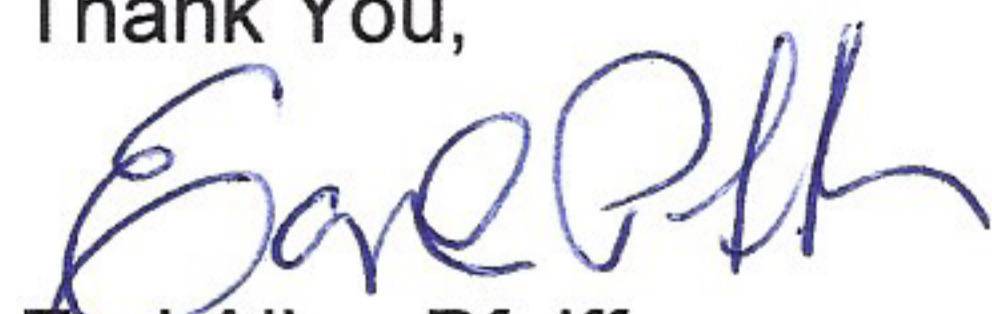
I have watched the last few months as news reports in the Mountain Mail have detailed public commentary on the proposed Crestone Avenue project. Often a PR campaign of sorts is needed to assure residents that their fears are valid, but unwarranted. It is unfortunate that conceptions of affordable and attainable housing conjure up many unfounded fears.

Finally, the Community Land Trust model utilized by CHT is a unique tool for attainable housing in high costs communities such as Salida. CHT owns the land, which provides an intermediary in the process. If a LURA is utilized to control the parcel at acquisition by CHT, the City can stipulate standards that must be adhered to in the construction, use, occupancy and maintenance of the project to give city officials and residents a higher level of confidence.

I support this development and ask you to consider this partnership with the Chaffee Housing Trust. Every successful housing partnership begins with a good building lot. A good building lot in an established functioning neighborhood increases the chance of success and provides for an outstanding opportunity for a low-income household to become established in the fabric of a solid neighborhood and community.

Should you have any question, please feel free to contact me.

Thank You,



Earl Allen Pfeiffer

R.E. Broker-Home Builder



Rural Development

March 30, 2018

Florida/Virgin Islands  
Single Family  
Program

4440 NW 25<sup>th</sup> Place  
PO Box 147010  
Gainesville, FL 32614

Voice 352.338.3402  
Fax 352.338.3490

TO: Whom it May Concern

RE: Letter of Introduction, Earl Allen Pfeiffer  
Housing Partner, Home Builder, Land Developer

Hello:

By way of written notice, I would like to introduce Earl Pfeiffer, the former Executive Director of Florida Home Partnership from October 20, 1997 until his retirement on March 30, 2018. I have worked closely with Earl during his tenure as Executive Director of his agency in a partnership with USDA, Rural Development to construct self-help homes for over 850 low to moderate income families. In addition, Earl and his team of 23 employees have developed over 1,000 single family building lots in 10 different subdivisions.

During his tenure, Earl procured over \$15,000,000 in operational administrative grants. Also, to his credit, his agency has underwritten and packaged over \$70,000,000 USDA Section 502 mortgage loans to go along with over \$20,000,000 in down payment assistance loans for his clients. Earl and his agency have received millions of dollars in HOME and CDBG funds for community development projects in addition to a \$2,900,000 site development loan from USDA.

For twenty years, Earl ran a very efficient organization. As a major program sponsor for his organization, I have personally received very few legitimate concerns from homeowners, as Earl works to assure that any and all legitimate concerns are resolved rapidly in due process.

Each year, I have reviewed FHP's annual audit. Over twenty years, no issues have arisen that would cause concern for our agency. With annual expenditures around \$5,000,000-\$7,000,000 USDA has been very pleased with the financial integrity of the agency.

Earl Pfeiffer is a great housing professional and partner. He is a licensed contractor, real estate broker and a land developer. He works well with government agencies and has been extremely successful leveraging financial and community resources. Should you have any questions regarding his qualifications, you may contact me.

Sincerely,

DARYL L. COOPER  
Single Family Housing Program Director

USDA is an equal opportunity provider and employer.

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at [program.intake@usda.gov](mailto:program.intake@usda.gov).

May 18, 2020

Salida Mayor and City Council members:

Recent arguments related to the proposed affordable housing units located at Crestone and 3rd Streets have motivated me to share my perspective. Salidans have loudly voiced concerns about the need for housing for our teachers, medical support staff, firemen, cooks, waitresses, &..... The financial gulf between the rich and poor has widened, leaving many who now serve us on a daily basis with but one choice — to live miles from Salida where they are employed.

Salidans, we must not lose our blend of citizens — living next door to one another. This highly respected virtue is one of the most attractive traditions that Salida has cherished for generations. If we want to continue to enjoy the community spirit that makes Salida so attractive, we must share the space that is available with those who need it the most. All of us, citizens and tourists alike, demand services that require low wage employees who, unfortunately, cannot afford to live in “their” town.

When studying the city map, I smile at the peculiar design that has resulted from our forefathers decisions. There are numbered & lettered streets going east/west & north/south Then there are assorted named streets that create abrupt angles, abutting the original ones. These intersections create interesting street junctures. Traversing the maze when multiple cars appear is challenging.

For safety reasons City Council and the Departments of Public Works and Police have redesigned a few of those intersections (Examples: along Teller at 5th/Park & 6th/C/Dodge). More “triangles” exist across our city, creating unnecessary traffic as well as snow-plowing problems. I consider these triangular footprints wasted use of space & encourage City Council to consider using more of the “triangles” for small affordable housing projects.

When I first heard of the possibility of redesigning the Crestone/3rd Street intersection, I was delighted. There is very little space left within Salida’s perimeter for housing development. This particular location is near downtown providing potential owners the opportunity to walk and/or bike to & from work so they don’t need duplicate vehicles.

Some citizens complain that the “city” has done little to meet our housing crisis. Now that they are considering assisting Chaffee Housing Trust with this project, citizens complain that the cost is coming out of their pockets. I must remind all of you that NO Salida citizen pays property taxes to support the Salida city government.

Sales tax is the only portion that goes directly to running Salida. That means that every person who spends money in Salida — Chaffee County citizens AND tourists — pay the exact same portion that Salida citizens pay to pave & plow our streets, maintain our parks & sidewalks, etc..... How privileged Salidans are to have all those folks contributing to the support of our city.

Older generations sometimes have a preoccupation with property rights at the expense of human rights. We will be remembered by how we treat one another while we are on this planet, not by what we accumulate nor the view from the property we own.

Eileen Rogers  
Salida Citizen  
1010 F Street  
539-4040



Bill Almquist <bill.almquist@cityofsalida.com>

---

## Fwd: July 7th City Council E. Crestone 1st reading

---

**Erin Kelley** <erin.kelley@cityofsalida.com>

Sun, Jul 5, 2020 at 9:29 PM

To: Bill Almquist <bill.almquist@cityofsalida.com>, Glen Van Nimwegen <Glen.VanNimwegen@cityofsalida.com>, Kristi Jefferson <kristi.jefferson@cityofsalida.com>

FYI

----- Forwarded message -----

From: **Erin Kelley** <erin.kelley@cityofsalida.com>

Date: Sun, Jul 5, 2020 at 9:29 PM

Subject: Re: July 7th City Council E. Crestone 1st reading

To: Gregory Smith <gsmith@cruzio.com>

Hi Gregory,

Thanks for your email. I'll make sure it's part of public comment record for Tuesday's meeting.

Erin

On Sun, Jul 5, 2020 at 3:37 PM Gregory Smith <gsmith@cruzio.com> wrote:

Erin,

Is it possible to comment on the E. Crestone issue here?

Having followed the ongoing comments concerning the changes to the end section of East Crestone Avenue I would like to add my own concerns. These concerns are not with the city supporting low cost housing, but it is with the transfer of developed and actively used city property (a city street) to private ownership. There may be certain instances where this might be beneficial to the city, but I don't see it in this specific instance. To give away city property that is actively used and has public utilities (sewer) in the street (that are now proposed to be moved) to private ownership is just counter to good planning. Using the criteria for East Crestone Avenue, there is no reason that any city park or other actively used public property or street cannot be transferred to private ownership under the cover of providing low cost housing. For example, one could see similar arguments to give away part of Marvin Park, Centennial Park, or Alpine Park and transfer it to private ownership. This will establish the wrong precedent.

On the other hand, the single parcel that the city owns next to East Crestone Avenue that is being rezoned is an example of the type of "undeveloped" city owned property that could be transferred to private ownership for the purposes of providing low cost housing without giving away public and actively used property. Chaffee Housing Trust who is the private developer, has convinced the City that they need more property to build more units and should hand over East Crestone Avenue, a public street, for their purposes and has convinced City planning staff to actively promote and rationalize this transfer. As admitted by City Staff and Chaffee Housing Trust they did not even look at this possibility, but went directly to trying to leverage the City into providing more land for their idea of a development.

*Gregory Smith*

*20 Trailside Circle*

*Salida, Colorado 81201*

*(831) 247-2219*

*[gsmith@cruzio.com](mailto:gsmith@cruzio.com)*

--  
Sent from Gmail Mobile

--  
Sent from Gmail Mobile

----- Forwarded message -----

From: **Jane Ewing** <janeewing42@gmail.com>

Date: Fri, Mar 13, 2020 at 1:53 PM

Subject: West Third Street Neighborhood. Please forward to Bill Almquist.

To: <dan.shore@salidaelected.com>, <jane.templeton@salidaelected.com>, <justin.critelli@salidaelected.com>, <mike.pollock@salidaelected.com>, <harald.kasper@salidaelected.com>, <alisa.pappenfort@salidaelected.com>

## West Third Street and East Crestone Avenue

### Chaffee Land Trust Project

Jane Ewing 718 West Third Street Unit A

The construction of residential units on city owned property near the busy intersection on either side of East Crestone Avenue and West Third Street will result in a traffic safety issue. My concern, beyond that of the fiscal responsibility for the city to revamp streets and property, is safety.

The corridor of West Third Street and Crestone Avenue is used extensively by vehicles, pedestrians, and cyclists. This traffic is impacted by cars, vans, and trucks that are parked along the edge of the throughway. That added congestion is compounded by delivery trucks that daily weave around the parked vehicles, pause to leave mail and packages, and reenter the street. County sheriff cars travel this corridor, as well. There are no sidewalks nor is there a bike path here. This area is not a typical neighborhood, where homes often have single or double car garages, added parking spaces in driveways, and sidewalks to accommodate pedestrians. A traffic survey may reveal that the traffic is not heavy enough to cause a concern. The tally, though, does not consider the additional use I noted above. My understanding is that the proposed new units may or may not have even a single car garage or a driveway wide enough for a second vehicle. If there are five units, we can expect that each active resident would have one or two

vehicles that will leave and arrive multiple times each day onto and from the already well-used streets.

My issue with the planned development is the location and the impact it will cause by reconfiguring the land. Added vehicles here will raise the potential for accidents in this already chaotic traffic area. I send this notice as an alert, a caution, and a protest.

June 2020

Jane Ewing 718 W 3<sup>rd</sup> Street Unit A

West 3<sup>rd</sup> Street and East Crestone Avenue

When I see the parcel of land under consideration by the Chaffee Housing Trust (CHT) for reconfiguration to build affordable housing, it concerns me the number of added residents who would access W 3<sup>rd</sup> Street from their driveways. W 3<sup>rd</sup> Street is a thoroughfare already dangerously busy. My fear is not only for those who already travel on W 3<sup>rd</sup> Street, but for the future residents who will have no other way to leave home than to back directly onto the street. The CHT's plans that have been publicly shared reveal that there is inadequate, or at best minimal space, for a driveway or place to park one's car. I wonder if the CHT is taking into consideration the risk they will place on travelers using W 3<sup>rd</sup> Street, people who live on that street, and the future residents who will be housed in the planned units.

Editor, Mountain Mail     June, 2020

West 3<sup>rd</sup> Street and East Crestone Avenue

I write to question the wisdom of the City Council's and Planning Department's consideration of giving away land in the 700 block of West Third Street to the Chaffee Housing Trust (CHT). If that happens, not only would the city of Salida accrue a large financial obligation by having to alter land, close a street, and relocate utilities, but it would allow the CHT to construct housing units that would exacerbate the already dangerous traffic flow along West 3<sup>rd</sup> Street, East Crestone, and M Streets. Should the City Council and Planning Department continue to pursue giving away the land in question to the CHT, I ask that they publicly list in detail the city's financial obligations to do so and their traffic study report.

Jane Ewing     718 West 3<sup>rd</sup> Street Unit A

Editor, Mountain Mail     June, 2020

West Third Street and East Crestone Avenue

The construction of residential units on city owned property near the busy intersection on either side of East Crestone Avenue and West Third Street will result in a traffic safety issue. My concern, beyond that of the fiscal responsibility for the city to revamp streets and property, is safety.

The corridor of West Third Street and Crestone Avenue is used extensively by vehicles, pedestrians, and cyclists. This traffic is impacted by cars, vans, and trucks that are parked along the edge of the throughway. That added congestion is compounded by delivery trucks that daily weave around the parked vehicles, pause to leave mail and packages, and reenter the street. County sheriff cars travel this corridor, as well. There are no sidewalks nor is there a bike path here. This area is not a typical neighborhood, where homes often have single or double car garages, added parking spaces in driveways, and sidewalks to accommodate pedestrians. A traffic survey may reveal that the traffic is not heavy enough to cause a concern. The tally, though, does not consider the additional use I noted above. My understanding is that the proposed new units may or may not have even a single car garage or a driveway wide enough for a second vehicle. If there are five units, we can expect that each active resident would have one or two vehicles that will leave and arrive multiple times each day onto and from the already well-used streets.

My issue with the planned development is the location and the impact it will cause by reconfiguring the land. Added vehicles here will raise the potential for accidents in this already chaotic traffic area. I send this as an alert, a caution, and a protest.

Jane Ewing     718 West Third Street Unit A



Bill Almquist <bill.almquist@cityofsalida.com>

---

## Building on crestone Ave

1 message

---

**Jessica Mazzucca** <jesshibbs44@yahoo.com>

Wed, Jun 10, 2020 at 11:03 AM

To: bill.almquist@cityofsalida.com

I cannot attend the meetings because I have children and my husband is out of town working but I am submitting my email opposing this project. it would be one thing if it was one or two homes but the fact that you want to shove six homes into such a small area is absolutely ridiculous. You have to realize that there is a home at the end of this hill that is going to be substantially smothered by this. I live three houses up from the bottom of the hill and I cannot fathom the idea of looking down the hill and having it blocked my view with six homes shoved into a small area. While I realize that our town is growing and we need affordable housing maybe we should consider the market as a whole and look at how expensive the smallest of homes are being sold for. Then maybe people can actually afford homes and not have to have small tiny homes shoved in one area. There is plenty of land in our town and county where these can be built elsewhere . You already have an extreme speeding issue in this town especially going up and down the hill and if there was a cul-de-sac at the end I only see it getting worse. Will any of the town cops sit at the end of the cul-de-sac and watch for speeding, I highly doubt it. Not to mention it's kind of seems like an artery road for many people- has the fire department been asked if they use this road during emergencies? And what it will affect if gone?? Or the other homes that sit directly on Crestone Avenue by the courthouse if there was an emergency then you only have one access route which is the front of the home instead of being able to access the back of the home. Because you're shoving six small houses into one are???. We are a very smart and bright community but this proposal is absolutely One of the worst ideas that our community has come up with. Please feel free to email me back or contact me via phone 719-239-0306.

Jessica Mazzucca

Sent from my iPhone



---

## letter to P&Z

---

**karen karnuta** <karenkarnuta@gmail.com>  
To: Bill Almquist <bill.almquist@cityofsalida.com>

Thu, Apr 23, 2020 at 11:02 AM

Please get this to P&Z.  
Karen

Karen Karnuta  
(Owner) 750 W 3rd Street

To The Salida Planning Commission.

I am one of the closest neighbors, the front door of my property faces Third Street directly across from the vacant triangle of land.

I think this project will impact the neighborhood, and I think the density is high for the neighborhood. However, I support this project.

I read a letter in the paper that said it will be "only" five houses. While five units is a drop in the bucket for what our city needs, to the five families who will live there it means everything.

I know families who live in the Habitat houses, and families who live in the Housing Trust project in Two Rivers. The security, safety and comfort to these families makes all the difference. These families no longer have to worry about their rent going up, or having to move when their rental house is sold. Things many of us take for granted.

Because of the difference secure housing will make in these families lives, I support this project though I believe it is not a perfect project.

Karen Karnuta



---

## another q on the crestone project

---

**karen karnuta** <karenkarnuta@gmail.com>  
To: Bill Almquist <bill.almquist@cityofsalida.com>

Thu, Apr 23, 2020 at 5:34 PM

thanks for passing that on. I am asking you to also give this letter stating the same thing to the P&Z board. The main thing is the testing, they may not need to be engineered depending on the results. As a builder in this neighborhood, I have a fair bit of experience with this sand and I would hate to see the foundations crack.  
Thanks for your time answering all my questions today!

To the Salida Planning Commission --

This project will be a better built project if the soils are tested, and foundations engineered if required by the test results. As this is not a city requirement, I recommend it is added to the project approval as a requirement.

If you look at the house I own, 750 W 3rd, the foundation is good and the house has not moved in over a hundred years. If you look across M Street to the house on the other corner, that house has had significant movement and the foundation is cracked and the house (I have been inside) is more than 12" out of level. The two houses are about 80 feet apart and were likely built in a similar time period.

The sand underlying the project is very variable in its ability to support the weight of a house. It is quite different from the cobble (rocks and sand) that underly most of the construction in town.

Karen Karnuta

[Quoted text hidden]



Bill Almquist <bill.almquist@cityofsalida.com>

---

## letter for City Council re: Crestone housing project

---

karen karnuta <karenkarnuta@gmail.com>  
To: Bill Almquist <bill.almquist@cityofsalida.com>

Wed, Aug 12, 2020 at 4:15 PM

Please get this to City Council, and I will be attending via zoom.  
Karen

Karen Karnuta  
(Owner) 750 W 3rd Street

To The Salida City Council:

**I am one of the closest neighbors**, the front door of my property faces Third Street directly across from the vacant triangle of land.

Before I saw the design concept for this project, I thought it would impact this neighborhood. Now that I have seen the design of the houses, I think it will fit perfectly in the neighborhood and will look like it has always been there.

The design of having two large-ish, but smaller than the next door, duplexes, then two or three houses, will integrate well into the neighborhood.

I was surprised and disappointed to see that both a husband and wife, who purchased a brand new house across from the planned project, both spoke against this project at P&Z. They have lived here four months and think that the city won't change from the (very recent) day they bought their brand new house. While the Dominguez' concerns are more valid, having lived here for a long time having no neighbors across M Street, I don't think their concerns of having neighbors across an existing street should turn into a veto on this project.

I read a letter in the paper that said it will be "only" five houses. While five units is a drop in the bucket for what our city needs, to the five families who will live there it means everything.

I know families who live in the Habitat houses, and families who live in the Housing Trust project in Two Rivers. The security, safety and comfort to these families makes all

the difference. These families no longer have to worry about their rent going up, or having to move when their rental house is sold. Things that many of us take for granted.

Because of the difference secure housing will make in these families lives, I support this project.

Karen Karnuta

## SUPPORT THE AFFORDABLE HOUSING PROJECT AT 3<sup>RD</sup> AND M STREET IN SALIDA

Repeatedly, the citizens of Salida indicated in surveys that affordable housing is the #1 issue facing our community - not even close with any other issue raised in these surveys.

Findings of Housing Needs Assessment (2016), conducted at the request of Chaffee County, Salida, Poncha Springs, and BV, outline the monumental task in creating affordable housing. This assessment's findings are: 2,426 dwellings are needed, between the 60 – 120% area median income (AMI) to meet the current need. 889 dwellings in this same AMI range are needed to meet the future growth needs.

Understanding the need and hearing its citizens' housing concerns, Salida committed to assisting in the development of affordable housing. After considering all City-owned property, Salida determined that the property at 3<sup>rd</sup> and M Streets is the best location now for affordable housing construction. Part of this decision is based on the fact that this land is deemed not useable by the City of Salida for another purpose.

The Chaffee Housing Trust has been determined by the Salida as a good partner for the construction of affordable housing at 3<sup>rd</sup> and M. The CHT is a proven developer of affordable housing, having constructed the Old Stage Road Rowhouses (6 units sold and 2 units rented to Salida citizens at under 65% AMI). This project was done in partnership with Natural Habitats in the Two Rivers development, as part of Salida's inclusionary housing ordinance.

The CHT also partnered with Fading West, developer of The Farm community in Buena Vista, to purchase 7 dwellings, find qualified lower income buyers, support these buyers in becoming qualified for financing, and assisting them in closing. Currently, 3 buyers have closed on their new homes in The Farm. Another will close in June, 2020. Four other units will close to buyers between June and October, 2020. The mean AMI for these homes is 70%.

In all of the above instances, the CHT obtained grants for down payment assistance, assuring that these homes were made available at below-market prices and affordable to lower income buyers. Grants acquired by CHT to provide down-payment assistance to date have totaled \$230,000. All of these homes are legally protected, permanently-affordable homes in perpetuity to future buyers in the same AMI as the original buyers.

Who are the buyers/renters of these CHT-assisted affordable homes?

In Salida:

- construction worker for a local builder
- 12-year middle school teacher with family
- employee of Pure Greens
- emergency room hospital employee
- single-mom-employee of a local manufacturer with family
- local medical office administrator
- Columbine Manor employee
- Essential grocery store worker

In BV:

- first-year elementary school teacher
- Colorado Kayak Supply retail employee (closing in June)
- BV lumber yard employee
- BV Town employee.

The affordable housing at 3<sup>rd</sup> & M is in keeping with Salida's longtime tradition of diverse neighborhoods. I urge citizens to support this project.

Ken Matthews, Vice-President, Chaffee Housing Trust

## SUPPORT THE AFFORDABLE HOUSING PROJECT AT 3<sup>RD</sup> AND M STREET IN SALIDA

Repeatedly, the citizens of Salida indicated in surveys that affordable housing is the #1 issue facing our community - not even close with any other issue raised in these surveys.

Findings of Housing Needs Assessment (2016), conducted at the request of Chaffee County, Salida, Poncha Springs, and BV, outline the monumental task in creating affordable housing. This assessment's findings are: 2,426 dwellings are needed, between the 60 – 120% area median income (AMI) to meet the current need. 889 dwellings in this same AMI range are needed to meet the future growth needs.

Understanding the need and hearing its citizens' housing concerns, Salida committed to assisting in the development of affordable housing. After considering all City-owned property, Salida determined that the property at 3<sup>rd</sup> and M Streets is the best location now for affordable housing construction. As I understand, part of this decision is based on the fact that this land is deemed not useable by the City of Salida for another purpose.

The Chaffee Housing Trust has been determined by the Salida as a good partner for the construction of affordable housing at 3<sup>rd</sup> and M. The CHT is a proven developer of affordable housing, having constructed the Old Stage Road Rowhouses (6 units sold and 2 units rented to Salida citizens at under 65% AMI). This project was done in partnership with Natural Habitats in the Two Rivers development, as part of the approval process for Two Rivers.

The CHT also partnered with Fading West, developer of The Farm community in Buena Vista, to purchase 7 dwellings, find qualified lower income buyers, support these buyers in becoming qualified for financing, and assisting them in closing. Currently, 3 buyers have closed on their new homes in The Farm. Another will close in June, 2020. Four other units will close to buyers between June and October, 2020. The mean AMI for these homes is 70%.

In all of the above instances, the CHT obtained grants for down payment assistance, assuring that these homes were made available at below-market prices and affordable to lower income buyers. Grants acquired by CHT to provide down-payment assistance to date have totaled \$230,000. All of these homes are legally protected, permanently-affordable homes in perpetuity to future buyers in the same AMI as the original buyers.

It is important to note that some owners in the surrounding neighborhood support this project. Some neighbors of the proposed project at 3<sup>rd</sup> & M are objecting to this development, alleging a myriad of issues that will affect them, for example:

- Traffic safety. Part of this objection claims that the vacation of the lower part of E. Crestone will create danger. I maintain the opposite. Eliminating this portion of E. Crestone, which intersects with 3<sup>rd</sup> Street at a very acute angle enhances safety. Having a controlled intersection at 3<sup>rd</sup> & M (perhaps a 4-way stop) makes this intersection safer and slows down traffic from HWY 291 to Salida's commercial district.
- Vacation of this portion of E. Crestone in some way violates historical preservation of a long-abandoned coach line through Salida. This fairy tale has been debunked by historical experts in Salida.
- Property values will be damaged. Studies by many sources have not found a correlation between the insertion of affordable housing into a stable, mixed income neighborhood such as

the one near 3rd & M. Some studies have shown that such affordable housing projects that inject some diversity into such neighborhoods have positive effects on property values. I am happy to provide references to these studies, if Council or the Planning Commission desires.

Sadly, it appears to me that much of the ranting and raving from those objecting are simply attempting to use acceptable language to voice an unacceptable objection - we don't want "those" people in "our" neighborhood.

Who are "those" people? Here is who they are, based on other CHT project owners/renters:

In Salida:

- construction worker for a local builder
- 12-year middle school teacher with family
- employee of Pure Greens
- emergency room hospital employee
- single-mom-employee of a local manufacturer with family
- local medical office administrator
- Columbine Manor employee
- Essential grocery store worker

In BV:

- first-year elementary school teacher
- Colorado Kayak Supply retail employee (closing in June)
- BV lumber yard employee
- BV Town employee.

The affordable housing at 3<sup>rd</sup> & M is in keeping with Salida's longtime tradition of diverse neighborhoods. I urge citizens to support this project.

Ken Matthews

Vice-President, Chaffee Housing Trust



Public Comment &lt;publiccomment@cityofsalida.com&gt;

---

## 6/22/20 P&Z meeting

1 message

---

**melanie cymansky** <mcymansky@outlook.com>

Mon, Jun 22, 2020 at 11:56 AM

To: "publiccomment@cityofsalida.com" &lt;publiccomment@cityofsalida.com&gt;

Planning Commission Meeting - 6/22/2020

Good Evening Planning Commission Members:

First, your review of CHT's request should be postponed until a full and open meeting can be done with all in-person public comments. To continue with this discussion now would appear to the public that this process is being deliberately non-transparent. This request and all future requests on this should be tabled until all voices can be heard in public meeting (not virtual) for this controversial location.

Second, I am pro-affordable housing: Two Rivers and the to-be-built affordable rental units at Confluence Park are good examples. This property is just not the right place to do CHT's project: it's too small, it's in an unsafe area for children, it will cause Crestone Ave. to have additional traffic at Park, and there have to be too many modifications (street closures and removing part of a hillside). There are at least 3 other parcels of City owned property that are more suitable ("Possible City Owned Affordable Housing Sites" report): Crestone Ave (2.75 acres), Grant/Ouray (3.25 acres) and Poncha Blvd/Ouray (4.25 acres). All would have ample off-street parking, wouldn't require road closures, more land to build on allowing for more affordable housing, and also could have apartment buildings. According to the 2016 Chaffee Housing Needs Assessment, rentals are what Salida actually needs.

Here are questions on the rezoning application for M&amp;3rd being discussed at tonight's meeting:

1. Included in the packet is a letter from Chaffee Housing Trust/Read McCulloch - what is the date of that letter?
2. That letter from CHT is requesting "the rezoning of the City owned lot at the intersection of M Street and 3rd Street."  
Please quote the municipal code that allows a private corporation to request the City rezone City owned property for land the private corporation does not currently own.  
Please quote the municipal code that requires the City to place an application to itself to have property rezoned.
3. According to SMC 16-6-130 (2): Quitclaim Deed. Whenever the City approves an application vacating a public right-of-way, the City shall provide abutting landowners with a quitclaim deed for the vacated lands. Each abutting landowner shall be deeded that portion of the vacated right-of-way to which the owner's land is nearest in proximity.  
As there are landowners abutting this land on at least 2 sides (if both E. Crestone and M Street are vacated), who will the City issue the quit claim deed to as it doesn't appear CHT currently owns any adjoining property? (CRS 43-2-302 43-2-302-" Vesting of title upon vacation" is the Statute Mr. Nelson quoted about the city giving land away without a vote, but this CRS is about vacating public roadways and doesn't authorize the City giving land away.)
4. Please quote the municipal code (or State Statute) that says the City can give land away to a private corporation.
5. This land is real municipal property used and held for a public purpose: these are two municipal streets owned/maintained by the City and there is a water/sewer line under this road/land, which is certainly public use.

Why rezone this if the City has to put this up for vote to give away this property to Chaffee Housing Trust? (CRS 31-15-713)? Is this putting the "cart before the horse" as CHT hasn't gotten approval for this project yet? Even Buena Vista's Town Attorney realized BV couldn't just give land away to Urban Inc. without a public vote (MM 11/16/17).

Thank you.

Melanie Cymansky, Salida

***"Nearly all men can stand adversity, but if you want to test a man's character, give him power." Abraham Lincoln***

***"The most terrifying words in the English language are: I'm from the government and I'm here to help." Ronald Reagan***

**Merrell Bergin**  
**PO Box 868**  
**Salida, CO 81201-0868**  
**mberginco@gmail.com**

June 18, 2020

Mr. Bill Almquist  
Planner  
City of Salida  
448 East 1st Street  
Salida, CO 81201

Re: Right of Way Vacation and Rezoning Application  
East Crestone Avenue and Part Lot 4-6 Strip C of Eddy Brothers Addition  
Planning Commission Public Hearing June 22, 2020

Mr. Almquist, Members of the Planning Commission:

**I am writing in support of the proposed right of way vacation and rezoning application for the subject parcel.** Beginning with the community meeting on March 4, 2020 at the Scout Hut, I have listened carefully to all sides of the proposed six-unit workforce housing development, to be built in the area of East Crestone Avenue, 3rd and M Streets. The proposal is a prime example of creative and forward thinking on the part of City Council, Economic Development staff, the Planning Commission, Chaffee Housing Trust and other community stakeholders committed to helping fill a small piece of Salida's critical housing gap. It makes a statement that the City will not rest until more opportunities for affordable housing exist, one small (but significant) project at a time.

As a downtown property owner and 16-year resident, I appreciate the desire for people to maximize and protect their interests. The City is doing just that. Vacating the right of way and consolidating the zoning of these unique parcels allows the City to actively achieve the highest and best use of its holdings. This is not for anyone's monetary gain, instead it merely exchanges raw dirt for the greater public good - for ALL Salidans. As it stands today, these parcels are not useful to anyone and the right of way only encourages motorists to cut through the residential area on their way elsewhere. How does that help anyone?

Are there challenges with this plan? Sure; if it were cookie-cutter easy, this project would have been done long ago. Planning and other City departments have put a lot of effort into finding solutions to make this **work**. The only area not fully addressed, that might need more attention is how to calm and redistribute vehicle traffic among West 3<sup>rd</sup> Street, Poncha Boulevard and Crestone Avenue, by the Courthouse. Careful and holistic planning for pedestrian, bicycle and vehicle traffic in the area should be done in any case. Traffic engineering, calming and enforcement solutions are well within our reach, making the entire area better and safer for all.

Beyond simple self-interests, dollars and cents I would urge all decision makers and the community at large to look at the [heartfelt stories of their neighbor's housing insecurities](#)

[that were presented on May 28 by The Chaffee County Housing + Health, Dinner and a Movie Series](#). These are real people with real needs and it's in our power to make a difference.

In each of these personal stories, significant obstacles were overcome with creativity and just plain hard work. In each case, creative partnerships greatly improved people's lives and health, while the community as a whole benefits. The Planning Commission can help the City meet stated its goals for improving housing security through affordability, while increasing this area's property values and revitalizing a desirable in-town neighborhood overall.

An amazing amount of speculation, poor assumptions, fearmongering and wild financial estimates have already been put to the public, from a handful of abutting neighbors who favor their own interests rather than sharing in a sense of partnership with their neighbors and the larger community. This is not "win-lose", it is a win for all.

Tonight's public hearing and those that follow will bring out the real costs, facts and figures and should put to rest the "Not in My Backyard" fear factor being cast on this creative effort.

This hearing should conclude that the requests for vacation and rezoning meet existing safeguards and codes, are reasonable and proper. Granting these actions will move the project forward again for public comment and another hearing, with accurate costs and detailed plans. If technical issues are raised tonight, please make every effort to remediate them. I urge you vote "yes" and continue the process.

Merrell Bergin  
Tel. 303-601-1785

**VIA EMAIL to: [bill.almquist@cityofsalida.com](mailto:bill.almquist@cityofsalida.com)**

**Merrell Bergin**  
**PO Box 868**  
**Salida, CO 81201-0868**  
**mberginco@gmail.com**

August 10, 2020

Mr. Bill Almquist  
Planner  
City of Salida  
448 East 1st Street  
Salida, CO 81201

Re: Right of Way Vacation and Rezoning Application  
East Crestone Avenue and Part Lot 4-6 Strip C of Eddy Brothers Addition  
2nd Reading and Public Hearing, August 18, 2020

Mr. Almquist, Mayor Wood, Members of City Council:

**I am writing again in support of the proposed right of way vacation and rezoning application for the subject parcel, for affordable housing. Rather than repeat my June 18, 2020 letter, my focus this time is on need and the human side of this equation.**

For the last two years, I have been a volunteer for a local nonprofit with a wide-ranging mission of improving life in Chaffee County. Housing insecurity is a top issue for our nonprofit, especially in Salida and never more so than since the pandemic began. I've known for some time that many people struggle to work multiple jobs, and even if they can find any place to live, end up getting bounced around due to rising rents and a shrinking supply of safe, decent housing. Some must resort to couch surfing, campgrounds or worse, are forced to leave the area altogether to the detriment of their health and our community.

**Now it's personal:** in my work I hear from individuals and families barely hanging on, who are now falling off the cliff, due to factors beyond their control. With a rapidly disappearing supply of in-town land, not enough building and a lack of federal government support, the gap between supply and demand for affordable housing is only widening; unlikely to abate.

In comes the Chaffee Housing Trust (CHT); a trustworthy, proven local developer of smaller-scale projects, ready to help provide permanent and affordable housing for perhaps five, to-be-named families. The only way this project will succeed and help these families is with the approval of Resolutions 2020-10 and 2020-11. More than simply facilitating, this partnership allows the City to create something tangible, **today**. Turning a "maybe someday" dream into actual homeownership for residents who are by no means faceless. These people are the backbone of our local economy - working families. Each of the many applicants for this housing opportunity have their own unique stories and a strong desire to grow roots here. Many will be turned away, yet we still must try; every unit built in Salida helps.

The proposed project at 3<sup>rd</sup> and M Streets is not a “one and done” for Salida, CHT, Habitat for Humanity or a soon-to-be, multijurisdictional housing authority. Rather, it’s a small but significant step forward, built on a rising momentum of community support. This project will be a showpiece and model of walkable, in-town housing that enriches the fabric of the West Third Street neighborhood and the community at large.

These parcels are not without their development challenges; yet no deal-breakers have appeared. In fact, key departments working together (Planning, Public Works, Fire) with CHT have gone the distance to find creative solutions for economics, zoning, parking, utility placement and workable traffic patterns.

You have it in your grasp to be able to make a huge difference and show the heart that is at the center of our community. Aim high, and yes, listen to other opinions, but refuse to stand still when the solution is clear and the need is urgent.

It’s time for the City to unanimously pass these resolutions and let the development process continue to the next step. Creative partnerships like this one greatly improve people’s lives and health, while the community as a whole benefits. As a downtown property owner and 16-year resident, I am heavily invested in the future of Salida. I believe that a key part of that success will be measured by how well we in turn invest in our workforce. This affordable housing project is essential towards that goal.

Merrell Bergin  
Tel. 303-601-1785

**VIA EMAIL to: [bill.almquist@cityofsalida.com](mailto:bill.almquist@cityofsalida.com)**



## E. Crestone Public hearing signs are non-compliant

Michelle Parmeter <mparmete@yahoo.com>

Thu, Jun 11, 2020 at 1:03 PM

Reply-To: "mparmete@yahoo.com" <mparmete@yahoo.com>

To: "bill.almquist@cityofsalida.com" <bill.almquist@cityofsalida.com>

Cc: "harald.kasper@salidaelected.com" <harald.kasper@salidaelected.com>, Mike Pollock <mike.pollock@salidaelected.com>, "dan.shore@salidaelected.com" <dan.shore@salidaelected.com>, "jane.templeton@salidaelected.com" <jane.templeton@salidaelected.com>, "justin.critelli@salidaelected.com" <justin.critelli@salidaelected.com>, "alisa.pappenfort@salidaelected.com" <alisa.pappenfort@salidaelected.com>, Glen Van Nimwegen <glen.vannimwegen@cityofsalida.com>, Nina Williams <nwilliams@mdbrlaw.com>, Drew Nelson <drew.nelson@cityofsalida.com>

One sign per property is required by code: "Notice shall be posted by the applicant on the subject property...."

There are 2 applications for 2 properties being discussed, rezoning E. CRESTONE property and vacation. E. CRESTONE property that is going to be rezoned did not meet 15 day and applicant placement requirement plus full disclosure. The 3rd W Public notice did not meet full disclosure requirement.

Sent from Yahoo Mail on Android

On Thu, Jun 11, 2020 at 12:48 PM, Bill Almquist <bill.almquist@cityofsalida.com> wrote:

For reference, I am attaching photos showing that the site was posted in multiple locations (only one location is required by the Code) on Friday, June 5th. I am also attaching a photo of the replacement notice that I constructed at the corner of W. 3rd and E. Crestone Ave. on Monday, June 8th, after I learned that the postings had blown off in Saturday's "derecho." I also attempted to re-secure one of the other notices to the stop sign, but it appears that sign fell down again. The sign at the corner of W. 3rd and E. Crestone Ave. remains.

On Thu, Jun 11, 2020 at 12:03 PM Michelle Parmeter <mparmete@yahoo.com> wrote:

The city's lack of transparency is appalling with respect to E Crestone vacation and adjoining property rezoning and it is a travesty of civil and fair government. The public hearing signs for the applications to rezone and vacate are non-compliant to meet the 22 Jun Public Hearing.

The sign on E. Crestone (attached) was blown away last Saturday lasting less than 20 hours. It was replaced by Bill at 345 pm on Monday and was promptly blown up the street by wind. It was placed in its current state the next day by an elderly gentleman who walks up E. Crestone every day. It looks like trash in the ditch.

The notice posting has not met the 15-day requirement for public hearing nor was it posted in its current state by the applicant. The notice also did not mention the donation of land thereby not fully disclosing the purpose of the public hearing. The above are violations of public hearing notice posting requirements.

It also used legalese most people do not understand. Most people do not know that vacation of E. Crestone means the street is going away which further exemplifies the City's lack of transparency.

The following was sent to Bill Almquist on 8 June 2020:

One of your signs met its demise with the wind again this afternoon after you left. I counted the hours the signs were up and took pictures.

You did not meet the full 15 days required for public hearing notices being displayed on the property prior to the public hearing.

You also didn't fully disclose the full intent of vacation and rezoning ... eventual donation of land that provides government services which is an illegal donation.  
You also didn't make them sturdy or waterproof.

QED: The 22 June meeting has to be moved.

Regards,  
Michelle M Parmeter





Sent from Yahoo Mail on Android

--  
Bill Almquist  
Planner



(719) 530-2634  
[bill.almquist@cityofsalida.com](mailto:bill.almquist@cityofsalida.com)

"M.S.H.G.S.D"



Bill Almquist <bill.almquist@cityofsalida.com>

---

## E. Crestone public hearing comment 1.

---

Michelle Parmeter <mparmete@yahoo.com>  
To: Bill Almquist <bill.almquist@cityofsalida.com>

Wed, Jun 17, 2020 at 7:47 AM

Please be aware that Mayor's and council's behavior has instilled mistrust and lack of transparency with the public by only hearing CHT's side during the City Council meetings on 15 Oct 2019 and 16 Mar 2020.

15 Oct 2019 council meeting did not include all parties as only CHT was represented. The agenda item was nebulous and didn't invoke a reason for citizens to look further in the package:

Agenda item 6.g Request for Property Donation – Chaffee Housing Trust (Administration)

An average citizen would not be alarmed by this agenda item and would not consider looking at the package to see if it impacts them. The details of the agenda item were buried in a 31 MB package and found on page 193 of 219 pages further exemplifying the City's lack of transparency. The package included a property survey that would require the city to donate land to the abutting property owner not CHT. City council present at this meeting included Dan Shore and Cheryl Brown-Kovacic (council member at the time). Both have conflict of interests. Dan shows bias toward CHT as he is donator to CHT and Cheryl was on the CHT advisory board. Cheryl motioned to approve the request to begin vacation of the land. All these behaviors further support a lack of transparency from the City deepening mistrust.

16 March work session did not include all parties. It was held 6 days after the Governor requested COVID emergency disaster. No teleconferencing options were provided for this meeting. The meeting was biased toward CHT as citizens being cautious about COVID spread were not provided an avenue to participate and were discriminated. Read, CHT executive director, had the mayor and council's undivided attention for over an hour. The opposition's comments from the 4 Mar community meeting were not accurately presented by the Planning Commission. Recap of 4 March meeting in the 16 March working session shows bias by using "perceived" and not accurately reflecting the comment on affordable housing survey.

"Attendees were largely in opposition to the project due to perceived to property values, questioning the need of affordable housing and implications for traffic and transportation."

The opposition stated the survey did not accurately reflect the views of all Salida citizens. A valid survey should have 80% response rate. The survey has a 12% response rate. The survey only asked if affordable housing was an issue. It did not ask if affordable housing means home ownership. It did not ask if people would prefer to own or rent affordable housing. It did not ask the city to vacate a busy public street. The following is the list from 4 Mar meeting. The city has not provided response and did not attempt to impartially acknowledge the opposition:

Why is CHT not building rentals?

What were the criteria for determining available lots?

What lots did the City of Salida determine were available?

What does the timeframe or timeline look like?

Why is the property going to be rezoned?

That the project will lower our property values

That the survey that addresses affordable housing as a number one concern of Salida

Citizens does not reflect the views of Salida citizens accurately .

Clarity on the deed management and intergenerational transfer of deeds.

That the process is moving too fast.

Sent from [Mail](#) for Windows 10

## ***E. Crestone Public hearing comment 2***

Inbox



***Michelle Parmeter***  
***to me***

***Wed, Jun 17, 7:48 AM (1 day ago)***

The city continues to ignore the fact that the E. Crestone public hearing signs are non-compliant. They did not meet full 15 day posting period nor did they accurately describe the nature of the public hearing. The public notice signs further instill public mistrust as they do not draw the attention of passing cars, bikes or walkers. The signs are 27" off the ground and are not visible to passing cars. They don't even look like good garage sale signs. See example of useful public notice signs.





**PUBLIC NOTICE**

Application No:  
Applicant:  
Proposal:

 To submit comments or obtain information contact:  
Planning and Development Services  
747 Market Street, Room 345, Tacoma, WA 98402  
**(253) 591-5030**  
[www.tacomapermits.org](http://www.tacomapermits.org)

Please provide Chain of Custody of digital evidence that supports the pictures metadata were safe from secondary tampering.

One sign per property is required by code: "Notice shall be posted by the applicant on the subject property...."

There are 2 applications for 2 properties being discussed, rezoning E. CRESTONE property and vacation.

E. CRESTONE property that is going to be rezoned did not meet 15 day and applicant placement requirement plus full disclosure. The 3rd W Public notice did not meet full disclosure requirement.

[Sent from Yahoo Mail on Android](#)

On Thu, Jun 11, 2020 at 12:48 PM, Bill Almquist  
<[bill.almquist@cityofsalida.com](mailto:bill.almquist@cityofsalida.com)> wrote:

For reference, I am attaching photos showing that the site was posted in multiple locations (only one location is required by the Code) on Friday, June 5th. I am also attaching a photo of the replacement notice that I constructed at the corner of W. 3rd and E. Crestone Ave. on Monday, June 8th, after I learned that the postings had blown off in Saturday's "derecho." I also attempted to re-secure one of the other notices to the stop sign, but it appears that sign fell down again. The sign at the corner of W. 3rd and E. Crestone Ave. remains.

On Thu, Jun 11, 2020 at 12:03 PM Michelle Parmeter <[mparmete@yahoo.com](mailto:mparmete@yahoo.com)> wrote:

The city's lack of transparency is appalling with respect to E Crestone vacation and adjoining property rezoning and it is a travesty of civil and fair government. The public hearing signs for the applications to rezone and vacate are non-compliant to meet the 22 Jun Public Hearing.

The sign on E. Crestone (attached) was blown away last Saturday lasting less than 20 hours. It was replaced by Bill at 345 pm on Monday and was promptly blown up the street by wind. It was placed in its current state the next day by an elderly gentleman who walks up E. Crestone every day. It looks like trash in the ditch.

The notice posting has not met the 15-day requirement for public hearing nor was it posted in its current state by the applicant. The notice also did not mention the donation of land thereby not fully disclosing the purpose of the public hearing. The above are violations of public hearing notice posting requirements.

It also used legalese most people do not understand. Most people do not know that vacation of E. Crestone means the street is going away which further exemplifies the City's lack of transparency.

The following was sent to Bill Almquist on 8 June 2020:

One of your signs met its demise with the wind again this afternoon after you left. I counted the hours the signs were up and took pictures. You did not meet the full 15 days required for public hearing notices being displayed on the property prior to the public hearing. You also didn't fully disclose the full intent of vacation and rezoning ... eventual donation of land that provides government services which is an illegal donation. You also didn't make them sturdy or waterproof.

QED: The 22 June meeting has to be moved.

Regards,  
Michelle M Parmeter



Bill Almquist <bill.almquist@cityofsalida.com>

---

## E. Crestone public hearing comment 3

---

**Michelle Parmeter** <mparmete@yahoo.com>  
To: Bill Almquist <bill.almquist@cityofsalida.com>

Wed, Jun 17, 2020 at 7:48 AM

Even though the code only requires letters go to properties 175 ft from subject property, the city has further instilled mistrust by not making it clear to the Mesa and west-side neighborhoods that the proposed Crestone corridor to/from downtown is being eliminated and they will be impacted.

Sent from [Mail](#) for Windows 10



---

## E. Crestone public hearing comment 4

---

Michelle Parmeter <mparmete@yahoo.com>  
To: Bill Almquist <bill.almquist@cityofsalida.com>

Wed, Jun 17, 2020 at 7:49 AM

-  
-

City council approved the motion for city staff to begin the application process for E. Crestone vacation on 15 October 2019. The section of land proposed to be vacated in this motion is different than the E. Crestone vacation application proposed section of land submitted by City of Salida/Chaffee Housing Trust (CHT). The difference between the land section in what was approved with Council motion and what is part of the vacation application is a piece of land that abuts a private property owner. The action by the City of Salida to begin vacation of land that was not approved in the 15 October motion and to change the section of land in the vacation application to benefit CHT is unethical and shows blatant bias toward CHT. Had the City of Salida kept with the approved by motion land vacation section, the City would have to quickly claim deed the land to the abutting property owner. Since the city is both the applicant and approver of this application, they are the plaintiff and judge at the same and just talking about the application in City offices/staff meetings without the defendants (concerned citizens) being present is also unethical.

### **Sec. 16-6-130. - *Vacation* of recorded plat, right-of-way or easement.**

(2) Quitclaim Deed. Whenever the City approves an application *vacating* a public right-of-way, the City shall provide abutting landowners with a quitclaim deed for the *vacated* lands. Each abutting landowner shall be deeded that portion of the *vacated* right-of-way to which the owner's land is nearest in proximity.

According Colorado Constitution Article XXIX Ethics in Government Section 1c, local government officials or employees shall avoid conduct that is in violation of their public trust or that creates a justifiable impression among members of the public that such trust is being violated.

Colorado Constitution Article XXIX – Ethics in Government

Section 1. Purposes and findings.

(1) The people of the state of Colorado hereby find and declare that:

(a) The conduct of public officers, members of the general assembly, local government officials, and government employees must hold the respect and confidence of the people;

(b) They shall carry out their duties for the benefit of the people of the

state;

(c) They shall, therefore, avoid conduct that is in violation of their public trust or that creates a justifiable impression among members of the public that such trust is being violated;

*It is the **duty** of all **public servants** to ensure that the **public's** money is spent as efficiently as possible and that programs are provided effectively, **without discrimination or prejudice**, with **transparency** and **without waste of money or resources***

Although CHT and the City have made E. Crestone about affordable housing to feed on the goodwill of citizens, E. Crestone vacation opposition is not about to have or to not have affordable housing. It is about public safety, fiscal responsibility and ethics.

Sent from [Mail](#) for Windows 10



---

## E. Crestone public hearing comment 5

---

Michelle Parmeter <mparmete@yahoo.com>  
To: Bill Almquist <bill.almquist@cityofsalida.com>

Wed, Jun 17, 2020 at 7:50 AM

E. Crestone opposition is not about to have or to not have affordable housing.

While data will support that Salida needs affordable housing, the fiscal and safety data does not support it on E. Crestone. Providing affordable housing is the right thing to do but E. Crestone is the wrong place. In addition to public safety and fiscal responsibility issues surrounding the vacation and rezoning of property, there is already affordable housing 1000 ft from the projected development site (HUD housing at Mesa/Crestone). This section of the city is already "scattered" with affordable housing. The development code needs to reflect that all neighborhoods equally share the responsibility of affordable housing scattering.

CHT and the City unfortunately has made E. Crestone about affordable housing to feed on the sympathy of goodwill. The City's benevolence and emotions have succumbed to believing E. Crestone development is viable location for affordable housing. The affordable housing platform cannot be an excuse to ignore public safety and fiscal responsibility.

Fiscal responsibility

Applicant screening process

Research should be done on organization's processes and practices before donating to that organization. Noble cause alone cannot be grounds for donations. Donations should not be given to an organization with processes susceptible to fraud and that are not equitable.

CHT's applicant screening process has been recently been abused and is susceptible to fraud.

The following screen shots have been redacted for the individual's name; however, the name of the applicant is public knowledge due to our county tax assessor database, county website and social media.

The applicant is the BV lumberyard employee mentioned in the 27 May 2020 Mountain Mail editorial by Ken Matthews. The applicant is a 21-year-old male. The BV lumberyard employee bought the CHT house on 27 March 2020, quit his lumberyard job on 3 Apr 2020 and started as a Chaffee County Detention officer on 6 Apr 2020. The Chaffee County Detention officer job pays \$42K/year which is over the minimum income allowed for CHT housing for a single person. It takes more than 10 days to get hired by the county as a detention officer. A screening process that allows this is not fair to those that really need help ... even non-low income individual get the opportunity to buy a house at age 21.

Cost

The land value alone ranges from \$360K to \$430K. Harald is selling his .16 acres on Hillside for \$144K. The tax value on .17 acres in town is around \$120K.

E. Crestone property is .17 acres

E. Crestone vacated street is .18 acres

M. Street property is .17 acres (from county tax accessor)

P.T's requirement for selecting viable lots around town were that they were shovel-ready. Rezoning, vacating a street and moving utilities does not constitute shovel-ready. The citizens asked for the requirements for selecting viable lots numerous times and we have not been given an answer.

Drew Nelson's comment that E. Crestone is an "odd" angle so it must go away is not a valid argument. There are at least a half dozen "Bermuda" triangles around town ... some of them with parks. Parks are shovel-ready.

#### Public Safety

- o E. Crestone is the most natural flowing corridor to/from downtown to/from the Mesa. It is the natural extension of Highway 160. It is the least restricted corridor as well: no stop signs or yield signs.
- o Traffic study performed on E. Crestone is invalid due to decrease activity in these pandemic times. Any numbers from the traffic study should be doubled or tripled to accurately reflect vehicular traffic volumes. The traffic study also does not count any pedestrian or bicycle traffic.
- o You are taking away a major traffic route from the Mesa and routing vehicles and cars through a congested road (Crestone) in front of the courthouse and county buildings as well as through an unsafe intersection (Crestone and Poncha).
- o Routing traffic via H 291 is longer is distance and traverses a busy section of 1st Street.
- o Last week, we saw 4 Sheriff vehicles and 2 Salida police vehicles scream up E. Crestone in a period of 2 hours.
- o A minute increase in response times increases mortality by between 8 (measured 1 day after the initial incident) and 17% (measured 90 days after the initial incident). By eliminating E. Crestone, you are increasing the emergency response time from the fire station to the Mesa neighborhoods. Does the city really want to be liable for the increase of mortality?
- o By eliminating E. Crestone, you putting vehicular, pedestrian and bicycle traffic to/from the Mesa in danger.

While I applaud your intent to help affordable housing issues, affordable housing cannot trump public safety or fiscal responsibility.

Michelle M Parmeter

Search here...

### SHERIFF'S OFFICE

**John Spezze, Sheriff**  
**Andy Rohrich, Undersheriff**

641 West 3rd Street  
PO Box 699  
Salida, Colorado 81201

**Emergency: 911**

**Non-Emergency: 719-539-2596**

**Communications Center Fax:**  
719-539-3648

**Records Fax: 719-539-1077**

**Email: [records@chaffeesherriff.org](mailto:records@chaffeesherriff.org)**

**FIRE RESTRICTIONS**

**PAY TICKET ON-LINE**

->

#### DETENTIONS DEPUTY – CIVILIAN

The Chaffee County Sheriff's Office is accepting applications for full-time and part-time positions as a Civilian Detentions Deputy. These Deputies will perform a variety of duties pertaining to inmate activities and movement within the facility. This is a fast paced environment requiring energetic, self-motivated individuals with good computer skills, communication skills and the ability to multi-task. This facility has 105 beds and houses local inmates, overflow inmates from other agencies and inmates pending sentences with the Colorado Department of Corrections.

Applicants must be at least 18 years of age, possess a valid Colorado driver's license with a good driving record, no felony convictions, have a high school diploma or equivalent, and be able to work varying shifts and weekends.

-----> Annual full-time salary starts at \$42,000.00 with benefits that include: health, dental, vision, retirement and paid leave time.

Applications can be downloaded or picked up at the Chaffee County Detention Facility -148 Crestone Ave. Salida, CO. Applications must be notarized. Our records staff is available for notarization Monday through Thursday.

For additional information on these positions, please contact Lieutenant Justin Martinez at (719)539-7150. Chaffee County is an equal opportunity employer.

#### FULL TIME COOK

Full-Time Assistant Cook – full benefits

The Chaffee County Detention Center has an immediate opening for an assistant jail cook. Applicants must be at least 21 years of age and be able to pass a background check. Salary for this position is \$38,480 per year/\$18.50 hour. Applications can be picked up at 148 Crestone Avenue, Salida or downloaded from our website. Applications will be reviewed as they are received and hiring will be done promptly. For more information please contact Lt. Martinez at 719-539-7150. Chaffee County is an EOE.



### Work



**Detention Deputy at Chaffee County Detention Center**



April 6, 2020 - Present  
Salida, Colorado



**Former Yard Worker at Rocky Mountain Lumber & Hardware**



July 3, 2017 - April 3, 2020  
Buena Vista, Colorado

### Education



**Went to Salida High School**  
Class of 2017



**Went to Salida Schools**

### Places He's Lived



**Buena Vista, Colorado**  
Current City



**Salida, Colorado**  
Hometown

### Basic Info



**Male**  
Gender

### Relationship



**Single**

### People You May Know



**Karen Olszewski**  
The University of Southern...  
2 Mutual Friends



**Rhonda Flurry**



**Holly Bauer White**  
Leader - Strategy & Innova...  
1 Mutual Friend



SEE MORE

### Pages You May Like



**The Hunger Trailer at Pon... Barbecue**  
464 Likes



**The Firefly Restaurant**  
American  
342 Likes



**Natural Grocers (Denver E... Specialty Grocery Store**  
407 Likes



SEE MORE

Owner

Redacted

Buildings

Occupancy	Townhouse - Separate Unit	Roof Type	Gable
Built As	Modular 2 Story	Roof Cover	Composition Shingle
Square Feet	930	Foundation	24 Concrete
Year Built	2019	Tot # of Rooms	3
Adjusted Year Built	2019	Bed Rooms	2
HVAC	Electric Radiant	Baths	1.5
Building Condition	Good	Total Basement Area	0
Building Quality	Average	Exterior Wall	Frame Siding
Interior	Drywall	Value	\$129,882
Stories	2		

Type	Description	Units or Square Footage
Porch	Open Slab	12
Porch	Open Slab	12
Porch	Open Slab	20
Porch	Slab Roof	100

Valuation

	2020
Land Value	
Building Value	\$129,882
<b>Total Value</b>	<b>\$129,882</b>
Assessed Land Value	
Assessed Building Value	\$9,290
<b>Total Assessed Value</b>	<b>\$9,290</b>
Estimated Total Taxes	\$549.98

Sales

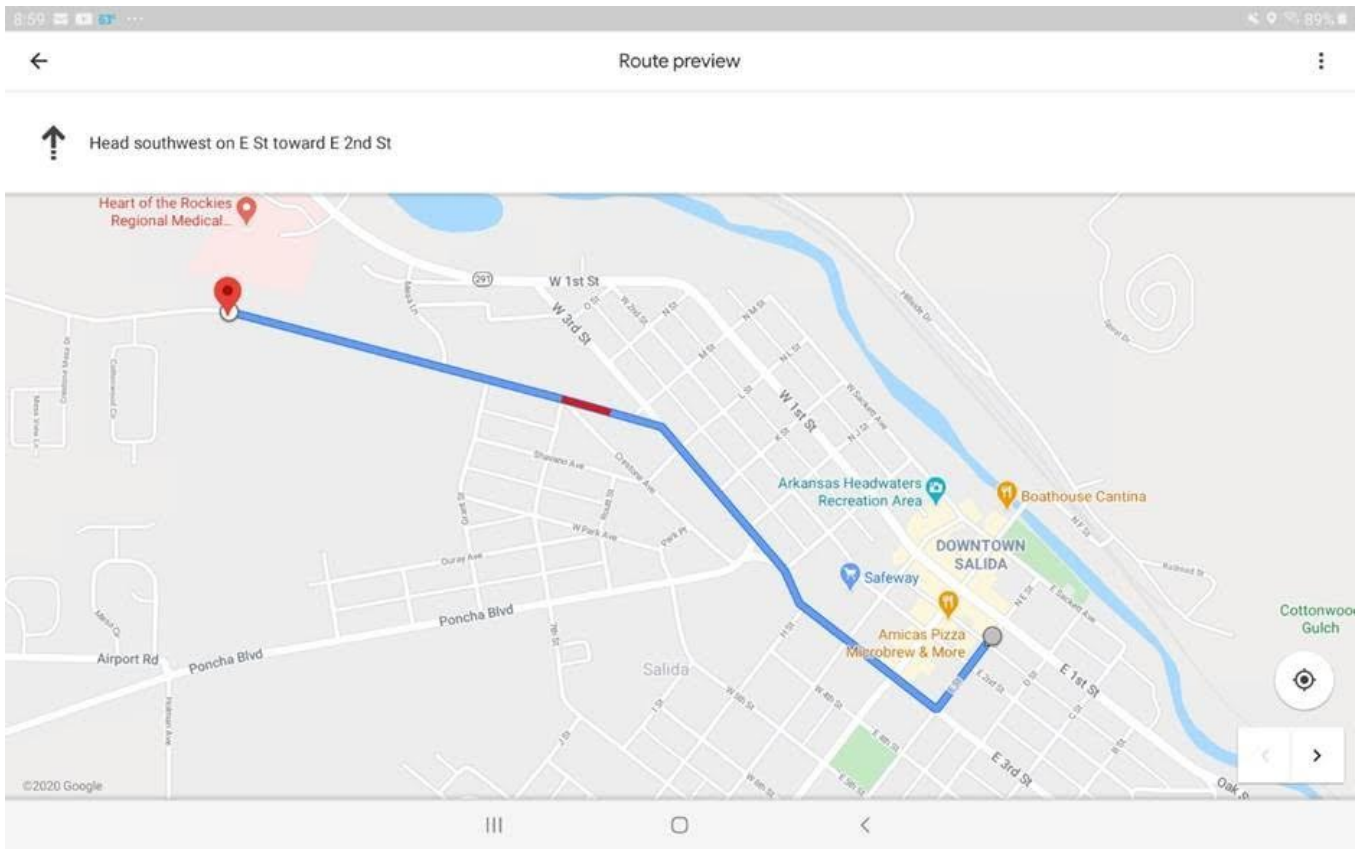
Sale Date	Sale Price	Instrument	Reception Number	Vacant or Improved
03/27/2020	\$213,600	Warranty Deed	457885	Improved

Photos



Sketches





Sent from Yahoo Mail on Android

Sent from Mail for Windows 10

## **E. Crestone public hearing comment 6**

Inbox



**Michelle Parmeter**

**Wed, Jun  
17, 7:51 AM  
(1 day ago)**

**to me**

City council approved the motion for city staff to begin the application process for E. Crestone vacation on 15 October 2019. The section of land proposed to be vacated in this approved motion (see first image) is different than the E. Crestone vacation application proposed section of land submitted by CHT/City of Salida (see second image). The difference between the land section in what was approved by Council motion and what is part of the vacation application is a section of land that abuts a private property owner (see third image). The action by the City of Salida to begin vacation of land that was not approved in the 15 October Council motion and to change the section of land in the vacation application to benefit CHT is unethical and shows blatant bias toward CHT. Had the City of Salida kept with the approved by motion land vacation section, the City would have to quick claim deed the land to the abutting property owner (Pryor resident). It is also a conflict of interest for any public servant to take a premeditated impartial position on any application.

City of Salida Municipal Code Sec. 16-6-130. - Vacation of recorded plat, right-of-way or easement.

(2) Quitclaim Deed. Whenever the City approves an application vacating a public right-of-way, the City shall provide abutting landowners with a quitclaim deed for the vacated lands. Each abutting landowner shall be deeded that portion of the vacated right-of-way to which the owner's land is nearest in proximity.

According Colorado Constitution Article XXIX Ethics in Government Section 1c, local government officials or employees shall avoid conduct that is in violation of their public trust or that creates a justifiable impression among members of the public that such trust is being violated.

Colorado Constitution Article XXIX – Ethics in Government  
Section 1. Purposes and findings.

(1) The people of the state of Colorado hereby find and declare that:

(a) The conduct of public officers, members of the general assembly, local government officials, and government employees must hold the respect and confidence of the people;

(b) They shall carry out their duties for the benefit of the people of the state;

(c) They shall, therefore, avoid conduct that is in violation of their

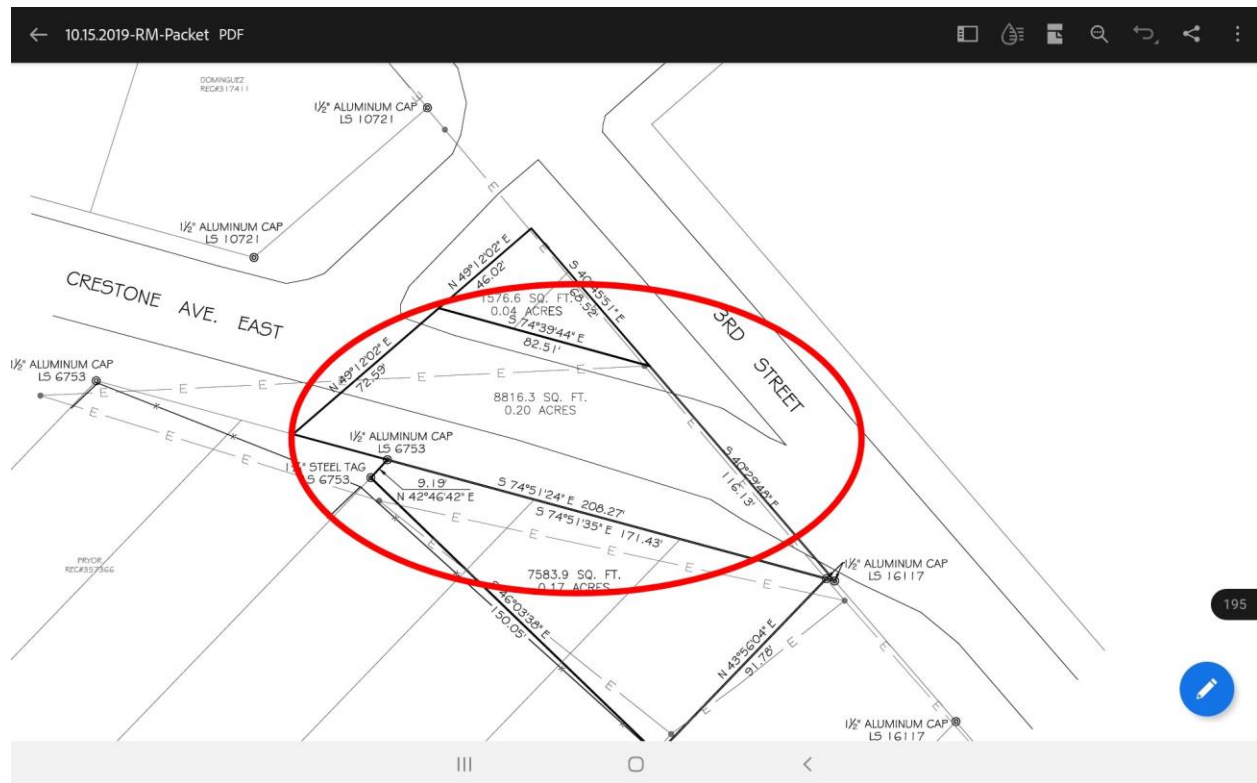
public trust or that creates a justifiable impression among members of the public that such trust is being violated;

Reference Colorado Independent Ethics Commission

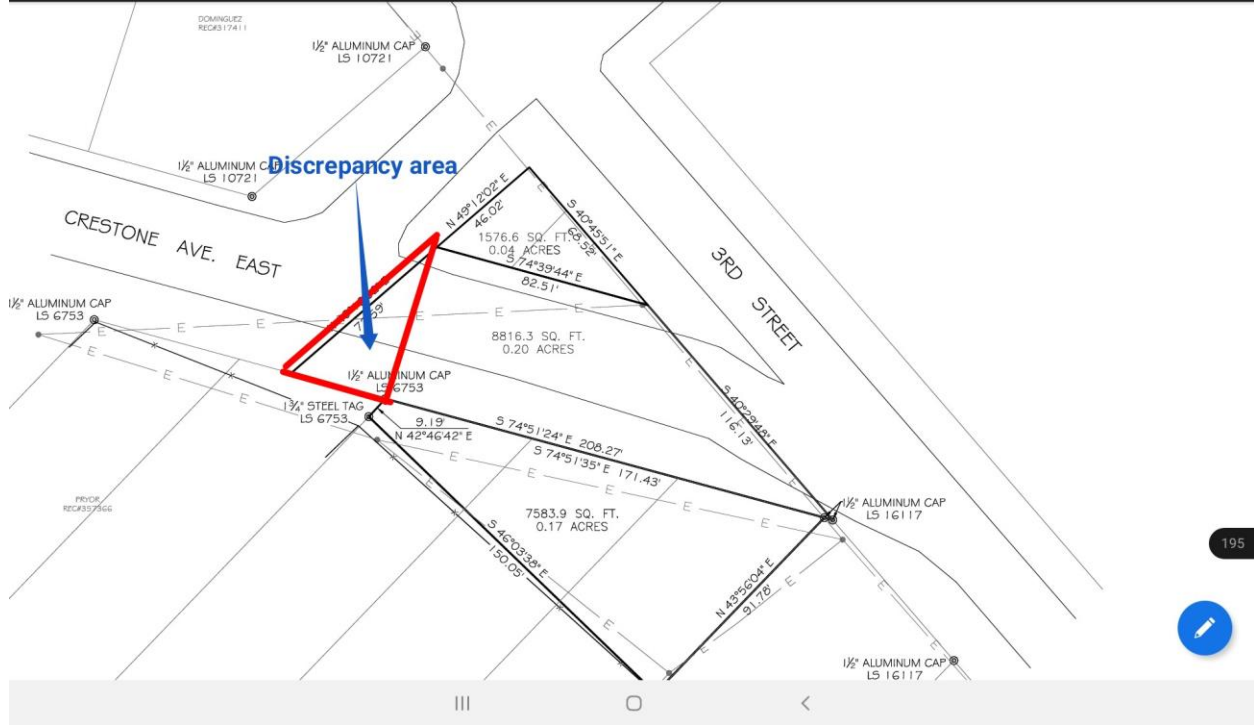
handbook: [https://www.colorado.gov/pacific/sites/default/files/IEC\\_Ethics\\_Handbook\\_2016.pdf](https://www.colorado.gov/pacific/sites/default/files/IEC_Ethics_Handbook_2016.pdf)

It is the duty of all public servants to ensure that the public's money is spent as efficiently as possible and that programs are provided effectively, without discrimination or prejudice, with transparency and without waste of money or resources. Adding to the previous list from Friday's email, affordable housing cannot trump public safety, fiscal responsibility or a code of ethics. I want to believe I can trust the City of Salida to move in the ethical direction with respect to the E. Crestone vacation application.

Michelle M Parmeter









Bill Almquist <bill.almquist@cityofsalida.com>

---

## E Crestone public comment 7

---

Michelle Parmeter <mparmete@yahoo.com>  
To: Bill Almquist <bill.almquist@cityofsalida.com>

Wed, Jun 17, 2020 at 7:50 AM

CHT housing is not affordable.

Even with land donations, the price per square foot for CHT housing is unaffordable:

Salida – Two rivers house sold on 19 April 2019 for \$266.8K with 828 sq ft comes to \$322/sq ft

BV- The Farm house sold on 27 March 2020 for \$213.5 K with 930 sq ft comes to \$230/sq ft

The cost per square foot to build a basic home in Colorado is \$150/sq ft. Any developer or individual given free land should be able build a house for less than \$230-322/sq ft. Is a nonprofit corporation profiting from this difference in cost per square foot, \$140K and \$74K, respectively for the homes mentioned above? Is this really affordable? You decide.

Whether you are an individual, business or municipality, donations and grants to organizations should not be given on noble cause alone. In the case of the City of Salida:

- What oversight/due diligence is done by City of Salida before donating to any organization?
- Where is City of Salida's checklist used as criteria for screening eligibility of organizations requesting donations?
- What percentage of the donations goes toward salaries and operational expenses for the organization?
- What is the organization's five-year plan for growth (employees and assets)?
- Is the business model of the organization fiscally sound, sustainable and resilient?
- Does the organization protect personal individual information according to PII (Personally Identifiable Information) cyber security best practices?

Money used to provide donations and grants to organizations comes from taxpayers (income, property and sales tax). CHT's request for E. Crestone land donation by the City of Salida is misuse of the affordable housing platform and taxpayer benevolence. City council is being negligent by donating to any organization that doesn't adhere to consistent, objective, safe and fair business processes.

Sent from [Mail](#) for Windows 10



---

## E. Crestone public hearing comment 8

---

Michelle Parmeter <mparmete@yahoo.com>  
To: Bill Almquist <bill.almquist@cityofsalida.com>

Wed, Jun 17, 2020 at 7:50 AM

The applications submitted by Chaffee Housing Trust (CHT) for vacation of E Crestone and rezoning the collective land to R2 should be null and void:

<https://cityofsalida.com/wp-content/uploads/3.16.20-Packet.pdf>

The applications were signed only by CHT executive director on 6 February 2020 as applicant/agent. The applications were submitted to the City by CHT just before the 4 March 2020 community meeting. The City of Salida was hand-written in as co-applicant on the applications sometime after the submission by CHT. The owner signature block was left unsigned.

CHT is not the owner of the land therefore should not be able to request vacation or rezoning of land. The land is owned by the citizens of Salida. CHT is a non-profit corporation with over \$1.5M in assets in 2018 (obtained from 2018 tax form 990). City council is overstepping their boundaries by sole-sourcing affordable housing development to CHT.

The applications cherry pick sections from the 2013 city comprehensive plan as the reason for vacating and rezoning; however, the plan clearly states, "The City of Salida does not directly provide affordable housing for the community." How much more direct can you get than donating citizen-owned land, city services and city labor? A comprehensive plan is not law ... rather it is a guide of vision.

<https://cityofsalida.com/wp-content/uploads/Complete-Comprehensive-Plan.pdf>

H-II.1 – Promote new development projects that contain a variety of housing, including affordable units.

Action H-II.1.a – Any residential development at the Vandaveer Ranch should include a significant affordable housing component.

Action H-II.1.b – Consider adoption of an inclusionary zoning ordinance.

Action H-II.1.c – Seek changes to the Land Use Code to ensure that affordable housing is interspersed throughout the city, maintaining diversity in existing neighborhoods.

The comprehensive plan does not recommend vacating a busy street and donating city assets, services and labor for affordable housing.

The planning commission meeting scheduled for May 26th to review these applications should be canceled due to the invalid submission of applications by CHT or at the very least postponed due to the state order requiring group gatherings be less than 10 people.

Rezoning and vacating of land requires a major impact review by the City Council. If indeed the city continues to review these invalid applications, the City Council should recuse themselves due to conflict of interest based on their lack of impartiality (non-signatory co-applicant) and conspiracy of personal agendas. We live in a democratic society. The council cannot be the judge, jury and executioner for these applications. Where are the checks and balances in this process if City council can give away city land and services without due process?



---

## E. Crestone public hearing comment 9

---

Michelle Parmeter <mparmete@yahoo.com>

Wed, Jun 17, 2020 at 7:53 AM

To: Bill Almquist <bill.almquist@cityofsalida.com>

The application for vacation of E. Crestone/rezoning of land to R2 and subsequent donation of land to CHT should be stopped due to the following reasons:

1. E. Crestone does serve governmental purposes. A City-owned utility sewer line runs underneath it. This contradicts Nelson's statement in the 1 May 2020 Mountain Mail article: "Nelson cited Colorado Revised Statutes 31-15-713 when he said real estate owned by a municipality not used for governmental purposes may be transferred via ordinance. Since there has been no governmental use of the property in question, it is eligible to be transferred by ordinance."
2. A traffic study conducted during Stay/Safer at home Executive Orders is being used to support the vacation of E. Crestone. It is not a valid traffic study due to COVID-19 and the closing of Chaffee County to tourism.
3. The vacation causes injury to the surrounding neighborhoods. It is non-compliant with Municipal Code Section 16-4-110: "... shall not cause undue traffic congestion, dangerous traffic conditions or incompatible service delivery, parking or loading"
  - a. Increases traffic/parking on an already busy street
  - b. Re-routes Mesa traffic to Crestone Ave which is already burdened with traffic/parking issues around the courthouse and county buildings.
  - c. Lacks realistic/safe residential parking for the proposed units. Even though city code only requires 1 parking space/unit, actual parking space/unit usage is closer to 2-3. Proposed residents will have to park additional vehicles somewhere on 3<sup>rd</sup> street and walk/cross on an unsafe street.
4. The donation of city land and services is not fiscally prudent or legal.
5. The use of our electric franchise fee fund collected from Exel Energy(1% of our energy bills) to help with undergrounding current utilities for the site needs to be prevented. This money is for use by all residents to assist with undergrounding utilities.

Instead of cramming six 35 ft tall buildings on .17 acres and jeopardizing the safety of our citizens in surrounding neighborhoods, the land on E. Crestone should be designated as a pollinator garden perhaps to commemorate our City's fallen civil servants. The land has 7 trees and native rabbitbrush which is beneficial to migrating butterflies. We need more green zones in Salida and less structures polluting our skyline.



Bill Almquist <bill.almquist@cityofsalida.com>

---

## E. Crestone public hearing comment 10

---

Michelle Parmeter <mparmete@yahoo.com>  
To: Bill Almquist <bill.almquist@cityofsalida.com>

Wed, Jun 17, 2020 at 7:54 AM

In the Friday February 27<sup>th</sup>, 2020 Mountain Mail, there was an article outlining Chaffee Housing Trust's meeting on Thursday March 5<sup>th</sup> during which CHT plans on giving updates on recent activities. What the article fails to mention is a major request of CHT that is in the works:

The CHT is applying to have the City-owned lots (triangles) on either side of E. Crestone Ave where intersects 3rd St. donated to the CHT. This would include the vacation of that short section of E. Crestone between 3rd and M. The lot created would allow the construction of 5 units + and ADU on the south side of the lot, backed up to the east side for affordable housing.

On October 15, 2019, the council unanimously approved vacation of E. Crestone Ave without a no-injury, traffic or emergency response impact assessment. CHT was the only side represented in the 15 Oct meeting. In early November 2019, the city had the property surveyed at the city's expense. In late February 2020, the city started removing street signs on W 3<sup>rd</sup> Street. CHT is announced the development of that property for affordable housing on March 4<sup>th</sup>, 2020 at 600 PM in the Scout Hut. CHT further continued development discussion without opposing parties at the 16 March 2020 City council work session.

Property values surrounding the lots average over \$500K. The average price of the affordable housing will be \$265K. A 2017 Stanford affordable income housing study indicates that housing of similar value surrounding affordable housing does not see a negative impact; however, surrounding housing that is valued well-above the affordable housing value does see a negative impact to value.

The 2018 inclusionary housing ordinance requiring 12.5% affordable homes is for new annexations and developments of 5 or greater units. Salida has plenty of large undeveloped zones that will provide affordable housing due to the inclusionary housing ordinance. Decisions by the council around affordable housing need to be fair, informed and least impactful to its citizens.

Sent from [Mail](#) for Windows 10



Bill Almquist <bill.almquist@cityofsalida.com>

---

## E. Crestone public hearing comment 11

---

**Michelle Parmeter** <mparmete@yahoo.com>  
To: Bill Almquist <bill.almquist@cityofsalida.com>

Wed, Jun 17, 2020 at 8:49 AM

Please explain why Salida Municipal code does not explicitly state which decisions the city considers quasi-judicial. This is best practice.

Does the City of Salida have a published code of ethics? If not, why? Does the city have certified ethics training for its personnel?

Please explain why Salida Mayor and City council did not ask if opposing party was represented at the 15 Oct 19 and 16 Mar 20 council meetings.

By not asking, these meetings even though they were public are analogous to a judge allowing court proceedings to occur without opposing council.

Sent from [Mail](#) for Windows 10



Bill Almquist <bill.almquist@cityofsalida.com>

---

## E. Crestone Ave. Housing

---

**Nick Merchlewitz** <nickpmerk@gmail.com>  
To: bill.almquist@cityofsalida.com

Wed, Aug 12, 2020 at 7:27 AM

To whom it may concern,

My name is Nick Merchlewitz and I support the construction of affordable housing at E. Crestone Ave. The Chaffee Housing Trust helped me buy a home at the Two Rivers Rowhouses just over a year ago, and I feel very fortunate they were able to help me out. Buying a home with the help of the Chaffee Housing Trust was not an easy process and this home was not just handed to me. I work my ass off 40 hours/ week and I do not get any help from the government to pay for my home. The Chaffee Housing Trust is helping regular, hard working people like myself and it would be great to see them continue to help the community with affordable housing. Again, I support the construction of affordable housing at E. Crestone Ave. Thank you for your time,

Nick Merchlewitz

**From:** Rob Dubin <robDubin100@gmail.com>

**Sent:** Wednesday, June 10, 2020 12:52

**To:** P. T. Wood <pt.wood@salidaelected.com>; Dan Shore <dan.shore@salidaelected.com>; jane.templeton@salidaelected.com; Justin Critelli <justin.critelli@salidaelected.com>; mike.pollock@salidaelected.com; alisa.pappenfort@salidaelected.com; harald.kasper@salidaelected.com; merrell.bergin@salidaelected.com

**Subject:** Crestone Ave- Chaffee Housing Trust

I would like to go on record as being against closing the intersection at 3rd and M Streets as I feel this project is going to result in several unintended consequences that will be detrimental to our city.

Like many in Salida I've long thought that affordable housing needs to remain one of our top priorities. However it is clear to me the Chaffee Housing Trust's plan for 3rd and M Street is addressing the right problem with the wrong solution. On a recent weekday I stood at the intersection of Crestone and East Crestone Avenue for half an hour and witnessed that 65% of the cars heading west onto Crestone and eventually CR160 were coming up East Crestone from 3rd street- the intersection that the City proposes closing to accommodate the Housing Trust's new homes. Meanwhile Longhorn Ranch, Crestone Mesa and Cottonwood Green are all building with dozens or eventually 50 or more homes to be built on Country Rd. 160 - all accessed by Crestone Avenue. If the housing trust project goes forward all that traffic will be forced to travel up Crestone and go in front of the courthouse. The result will be a four or five fold increase in traffic going in front of the courthouse than we currently have.

For traffic east bound into town the situation is even worse as it forces much more traffic into the already difficult intersection with Poncha blvd. Cars on Crestone have a yield sign and have to look behind them over their right shoulder while also gauging the speed of on coming cars turning up the hill at this unsafe intersection. Increasing the traffic many fold will lead to accidents. Chaffee County's wide courthouse lawn with the beautiful trees and parklike atmosphere is one of the charms of Salida. Turning this street into a major thoroughfare is not an improvement.

As City planners are well aware there are also currently under consideration plans to expand the courthouse building and put parking across the street in the lot owned by the Presbyterian church. Putting parking where a lot already exists is a wonderful Salida community solution which was offered to save cutting down the beautiful trees in front of the courthouse. However it does mean there will be a significant increase in pedestrians crossing the street towards the courthouse. The crosswalk from the parking lot will be right in the crosshairs of traffic at the already difficult intersection with Poncha Blvd mentioned above. New construction on CR 160, the closing of 3rd and M streets and new offices and more visitors at the Courthouse will combine for a "perfect storm" with deadly consequences. Greatly increased traffic is being funneled directly to where pedestrians will be trying to cross the street to access the courthouse from the new parking lot. The traffic study for this project was done during the Covid shutdown making its data unreliable. In addition the study was done without knowing exactly what the County will be doing as regards a new building and the above mentioned parking lot. For both of those reasons there is no possibility of intelligent decision making based upon such a flawed traffic study.

None of us want to stand in the way of increased affordable housing in Chaffee County but this project has not been well thought out. The likelihood of an auto-pedestrian accident in front of the courthouse is a virtual certainty with possible deadly consequences. No one wants that. The Housing Trust should pursue its goals at one of its other potential locations.

Rob Dubin  
Salida CO



Bill Almquist <[bill.almquist@cityofsalida.com](mailto:bill.almquist@cityofsalida.com)>

---

## FW: Letter of support for affordable housing

1 message

---

**Glen VanNimwegen** <[glen.vannimwegen@cityofsalida.com](mailto:glen.vannimwegen@cityofsalida.com)>  
To: [bill.almquist@cityofsalida.com](mailto:bill.almquist@cityofsalida.com)

Mon, Jun 1, 2020 at 10:13 AM

Glen Van Nimwegen, AICP

Community Development Director



---

**From:** robert weisbrod [mailto:[weisbr9@yahoo.com](mailto:weisbr9@yahoo.com)]  
**Sent:** Sunday, May 31, 2020 8:45 PM  
**To:** [glen.vannimwegen@cityofsalida.com](mailto:glen.vannimwegen@cityofsalida.com)  
**Subject:** Letter of support for affordable housing

submit.

Dear Editor,

I ask your readers to support the efforts to create affordable housing in Salida, including the East Crestone street vacation to create a buildable lot. As a result of home ownership through the Chaffee Housing Trust, I've been able to stay in my current job at the hospital. As a renter, it was getting too expensive for me to stay in Salida and I would have left town. Instead, I'm not stressed about getting kicked out of my place because they are going to sell it, or raise the rent yet again to where I can't afford it. My home is a lot nicer than rentals I've lived in. I'm getting to know my neighbors here, which didn't happen in a rental. I'm developing community with other homeowners, I can garden here, and I have stability, socially and financially with fixed monthly housing payments that will not go up.

Employees that work here should be able to live here. It is good for businesses because workers stay longer. They do less commuting (less environment impact). Workers who live in the community spend most of their money in the community, contributing to the tax base, supporting local businesses. As a percentage of their income, they spend more than wealthy residents and visitors. Moderate amounts of tax dollars should be spent on supporting workforce. Tax dollars are spent beautifying the city for tourists, on roads, schools, and other essential things. Aren't workers essential to our economy?

Please, let's help out our local employees and our community, we'll all be happier in the end.

Robert Weisbrod

[Sent from Yahoo Mail for iPhone](#)

July 6, 2020

Salida City Council:

RE: Vacating and development of Crestone Avenue at 3<sup>rd</sup> street

The Permanent vacating and blocking of City streets for an additional one or two living units is not a short term or long term solution for housing. The vacating is permanent, the low income housing is not. Such a precedent will create an effort by every developer, every downtown entity needing parking, any new quality business wanting to bring quality jobs here, every housing project, etc., to look to this option in the future to solve developmental problems throughout the City and/or to maintain a strong downtown community.

To the Crestone location specifically, the only problem to be solved will be a speeding issue coming into town from County Road 160 that was somewhat corrected with the speed signs.

Problems created will be (1) traffic diverted to the front of the courthouse and through the infamous third street hill intersection, (2) increased use on Mesa Lane which is strongly used for the Hospital, ambulances, and north bound drivers trying to make left turns onto Hwy 291, (3) the L street hill, which is very steep, would have to be used more on icy days when 4 wheel drives will be needed, (4) R-1 and R-2 neighborhoods would be permanently changed with precedent setting approvals(is density too dense here), (5) R-1 zoning would become moot with all long term R-1 home owners knowing they can add an ADU, subdivide property in the name of housing, and move elsewhere, (6) with the vacating, snow plowing at a turnaround or at one 90 degree turn adds several pass throughs, along with ongoing drainage diversions being continual problems on the sandy hill, and (7) five or six units does NOT fit into the Zoning and neighborhood--two or three units would fit into R-1 or R-2 and community/neighborhood aesthetics would be saved and adhered to rather than cluttered from the development building structuring.

Rusty Granzella  
248 West Park Ave  
Salida, CO 81201

# PURE GREENS

River Grown | Mountain Cannabis | Salida, Colorado | Elev. 7,143 ft.

5/6/2020

Dear Editor,

When I first arrived in Chaffee County, I was struck by the incredible sense of community and truly amazed at how citizens voiced emphatic support for Affordable Housing. Most communities see this as a “Not In My Backyard” issue, and I was genuinely moved by the community support. Looking at the reaction to the Chaffee Housing Trust’s (CHT) proposed development at M & 3<sup>rd</sup>, it is disappointing to see things have changed.

The cost of housing in Chaffee County consistently outpaces the income of its primary workforce. The median price of a single-family home is now \$424,500, and a condo/townhouse is \$400,000. Home prices are up more than 25% in just the past 4 years (condo/townhouse properties are up 38% in just the past 12 months).

Market forces drive up home prices, which is good for our community in many ways. It is however, a grave and gathering danger when a typical working family cannot afford the dream of home ownership.

We should be concerned about the impact of rapidly diminishing opportunities for home ownership. Housing dramatically affects quality of life for those who live and work here. Furthermore, it hinders economic development and the ability to attract and retain new business and a workforce.

Home ownership is historically the single best opportunity for building and sustaining financial stability. There are, however, substantial benefits beyond just equity in home ownership. Renters are subject to housing volatility, which necessarily lowers their commitment to community. Property ownership, particularly in the innovative model of CHT, keeps money in our community and improves commitment to an active civic life...activities critical to the health and welfare of neighborhoods and cities alike.

Government has great incentive to stimulate development of affordable housing, with a unique and important role in accomplishing this objective but it cannot make housing affordable by decree. Instead, it should support private/community investment in affordable housing through land-use, fee reductions and code modifications that reduce development costs.

The parcel at M Street and Third Street is a publicly owned asset without benefit to the community. Repurposing this site for affordable housing is an investment in workforce stability, increased tax revenue to the both the County (property taxes) and the City (sales tax), and integrating the workforce into our community.

I learned about CHT through the Marijuana Excise Tax Board (METAB) and found the model very compelling. It is more than just a way to finance home ownership...it allows those who would otherwise be priced out of the market to own a home and build equity value and keeps a portion of the invested capital perpetually in the community.

I have witnessed the benefits of the CHT, as one of our employees is a CHT homeowner. That home has made a world of difference in her life and her future.

# PURE GREENS

River Grown | Mountain Cannabis | Salida, Colorado | Elev. 7,143 ft.

The City should continue to be creative in finding ways to build affordable homes by partnering with the Chaffee Housing Trust.

Sterling F. Stoudemire IV

President & CEO, Pure Greens



Bill Almquist <bill.almquist@cityofsalida.com>

---

## Chaffee Housing Trust - Approval of the vacation of E. Crestone

---

**Sterling Stoudenmire** <sterling@puregreens.com>  
To: "bill.almquist@cityofsalida.com" <bill.almquist@cityofsalida.com>  
Cc: Read McCulloch <read@chaffeehousing.org>

Tue, Jul 28, 2020 at 11:18 AM

Bill and City of Salida City Council,

I am writing to express my ardent support for the Approval of The City of Salida vacating the parcel at E. Crestone in favor of the Chaffee Housing Trust (CHT). Attached is a copy my letter of support (as submitted to the Mountain Mail on May 6), which outlines the reasons for support.

I am a charter member of the Marijuana Excise Tax Advisory Board ("METAB"), and Pure Greens is the single largest tax contributor to the METAB. As such, I have been keenly aware of the CHT for several years through the METAB application and grant process. I think it is safe to say the CHT is always at the top of our grant awards list, for the simple reason that it is easily the most compelling and obvious value proposition for positive impact on our community in the both the short and long term. That perspective is considerably amplified by first-hand knowledge of the amazing impact the CHT has had on those individuals who have been recipients, including one of our own employees.

Further, as a Chaffee County EDC board member, I can affirm that affordable ("workforce") housing is one of the single biggest impediments to recruiting new business to the county. The city's support of affordable housing options should make a substantial positive contribution to the economy, and supporting it via the CHT is a great way to ensure that impact will effectively be in perpetuity. I have long been an advocate of public support for affordable housing, and this particular action is a low-risk way to prove that impact for both the City of Salida, and its citizens.

I am happy to appear before the city council and provide whatever insight/assistance it may request in regards to this specific matter, and/or the CHT in general. Should the council have any questions or concerns regarding my letter and/or support, please do not hesitate to contact me directly.

Respectfully,

Sterling F. Stoudenmire IV

President & CEO, Pure Greens



**Sterling Stoudenmire IV** 

President & CEO

C: 407.925.8205 | W: 719.362.1025 | [www.PureGreens.com](http://www.PureGreens.com)

7800 County Road 152 | Salida, CO 81201

**PURE GREENS**

River Grown | Mountain Cannabis | Salida, Colorado | Elev. 7,143 ft.

---

## 2 attachments



**Stoudenmire Letter in Support of CHG 200506.pdf**  
273K



**Sterling F\_ Stoudenmire IV.vcf**  
2K

Sender and receiver should be mindful that all my incoming and outgoing emails may be subject to the Colorado Open Records Act, § 24-72-100.1, et seq.

----- Forwarded message -----

From: **Wallace Ewing** <[wkewing1@gmail.com](mailto:wkewing1@gmail.com)>

Date: Fri, Mar 13, 2020 at 1:51 PM

Subject: Third Street housing project. Please forward to Bill Almquist

To: <[dan.shore@salidaelected.com](mailto:dan.shore@salidaelected.com)>, <[jane.templeton@salidaelected.com](mailto:jane.templeton@salidaelected.com)>, <[justin.critelli@salidaelected.com](mailto:justin.critelli@salidaelected.com)>, <[mike.pollock@salidaelected.com](mailto:mike.pollock@salidaelected.com)>, <[harald.kasper@salidaelected.com](mailto:harald.kasper@salidaelected.com)>, <[alisa.pappenfort@salidaelected.com](mailto:alisa.pappenfort@salidaelected.com)>

I have listened to both sides of the proposal to build affordable housing at the intersection of East Crestone Avenue and Third Street, and I understand the issues involved. Disregarding costs to the city, the effect of the project on property values, and the traffic problems that it will create, I oppose the concept on the grounds that this parcel of land is not an appropriate site for multiple housing of any kind, affordable or otherwise, because it requires the City of Salida to vacate a busy street that connects residents on the Mesa with downtown Salida, and that also entails constructing multiple residences on a steep hill that would leave owners with little or no backyard and would impact the residents' property on (upper) Crestone Avenue. I cannot think of a positive outcome for the housing project, if it were approved. There must be other sites within the city that present fewer problems.

Wallace K. Ewing

[718 West Third Street, Unit A](#)

[Salida CO 81201](#)



**REQUEST FOR CITY COUNCIL ACTION**

Meeting Date: August 18, 2020

<b>AGENDA ITEM NO.</b> 5.b.	<b>ORIGINATING DEPARTMENT:</b> Community Development	<b>PRESENTED BY:</b> Bill Almquist
--------------------------------	---------------------------------------------------------	---------------------------------------

**ITEM:**

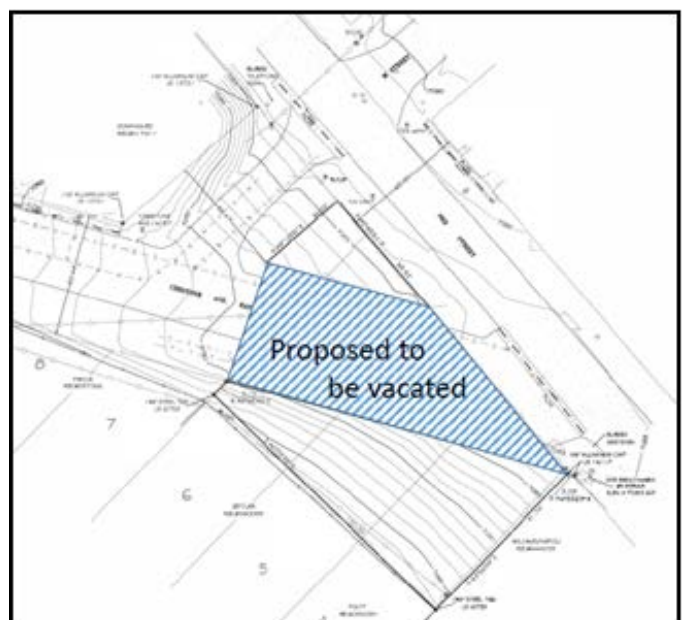
Approval of Ordinance 2020-11: An ordinance to vacate a segment of the East Crestone Avenue right-of-way adjacent to West Third Street, totaling approximately .18 acres.

**REQUEST:**

The request is to vacate approximately 7,710 square feet (.18 ac) of the East Crestone Avenue right-of-way, for the purpose of consolidating the two adjoining City of Salida-owned properties into one contiguous site.

**APPLICANTS:** City of Salida- 448 E. 1<sup>st</sup> Street, Salida, CO 81201 (owner and applicant) and Chaffee Housing Trust- P.O. Box 692, Buena Vista, CO 81211 (co-applicant).

**LOCATION:** The eastern-most extent of E. Crestone Ave. between West 3<sup>rd</sup> Street and M Street. A survey plat and legal description is included with the application packet.



**BACKGROUND:**

City Council has identified the need for affordable housing (as stated in the 2016 Chaffee County Housing Needs Assessment) as one of its priority issues to address. That priority was reaffirmed as recently as this spring's Council retreat, and staff has been working to implement such actions.



## REQUEST FOR CITY COUNCIL ACTION

Meeting Date: August 18, 2020

AGENDA ITEM NO.	ORIGINATING DEPARTMENT:	PRESENTED BY:
5.b.	Community Development	Bill Almquist

On July 16, 2019, Council directed staff to begin discussions with the Chaffee Housing Trust (CHT) regarding the potential transfer of City-owned property for the purpose of developing affordable housing units. Following this direction, staff began working with CHT to look at the feasibility of utilizing City-owned land at the intersection of E. Crestone Ave and W. 3<sup>rd</sup> Street. On October 15, 2019, Council directed staff to initiate applications for the vacation of the subject portion of the E. Crestone Avenue right-of-way and rezoning of the parcel which abuts E. Crestone Avenue. The aim was to create a contiguous parcel with one common zoning designation that could be used to create affordable housing units. CHT and staff then began working to develop a concept plan for the potential future parcel that could accommodate up to 5 primary residential units, plus 1 ADU, as allowed by code.

The applications for the vacation of right-of-way and rezoning were submitted on February 6, 2020. On March 4, 2020, the City of Salida and the Chaffee Housing Trust hosted a meeting for neighbors and other interested parties at the Scout Hut to present ideas and hear input from residents regarding the potential project. Neighbors' concerns and questions included whether there is an actual need for affordable housing, the potential impact to property values, the potential loss of vehicular access to/from Crestone Mesa, costs to the public, and potential increases to existing traffic, among others. A few attendees expressed some support for the project. Notes from that meeting are included in the packet, and some of the input factored into the eventual concept design that is attached to this report.

On March 16, 2020, City Council and Planning Commission held a joint conceptual review of the applications and potential project, to ask questions and provide feedback. Following a couple of postponements due to various factors, including: the request of neighbors, COVID-19 restrictions, and the need for additional information regarding site design and adjacent street improvements, the subject application went in front of Planning Commission for a public hearing and recommendation on June 22, 2020. Their recommendations are included at the end of this report.

### **OBSERVATIONS AND COMMENTS:**

1. The applicants have requested that approximately 7,710 square feet of East Crestone Avenue be vacated to eliminate the intersection of E. Crestone Avenue and W. 3<sup>rd</sup> Street. Per Colorado state statute, the portions of the vacated right-of-way would be conveyed via quitclaim deed to the parcels that are nearest in proximity—in this case, the two City-owned properties north and south of the right-of-way proposed for vacation.
2. The general purpose of the right-of-way vacation request is to consolidate the adjoining City-owned parcels north and south of said portion of right-of-way, to make the site available for infill development. The City of Salida and the Chaffee Housing Trust (CHT)—a local affordable



**REQUEST FOR CITY COUNCIL ACTION**

Meeting Date: August 18, 2020

AGENDA ITEM NO.	ORIGINATING DEPARTMENT:	PRESENTED BY:
5.b.	Community Development	Bill Almquist

housing developer—have been in discussions about developing the site with a mix of for-sale and rental units (up to six total units, including one accessory dwelling unit) to meet a portion of the city’s affordable housing need. A copy of the latest conceptual site plan, created by CHT in consultation with City staff, has been provided in order to determine the feasibility of development and is included later in this document for reference. However, no specific development plan is currently being proposed, nor does approval of this right-of-way vacation request guarantee any sort of transfer of property. Any such development would also require a future Limited Impact Review process that is separate from this application. Final details of any transfer and the responsibilities of each party would likely be defined by a subsequent development agreement.

3. It is noted that the City generally discourages roadways that meet at acute angles, such as what currently exists at the intersection of E. Crestone Ave. and W. 3<sup>rd</sup> Street. These angles often create hazardous vehicular movements in and out of intersections.
4. The City of Salida has also submitted a separate application for rezoning of the adjacent City-owned parcel south of the right-of-way proposed to be vacated—from Single-Family Residential (R-1) to Medium-Density Residential (R-2). It should be emphasized, however, that the rezoning request is independent from this right-of-way vacation request. It is acknowledged that the rezoning, along with the right-of-way vacation, would facilitate the creation of one contiguous site that could be developed in accordance with the standards of the R-2 zoning district.
5. A similar right-of-way vacation request was made in 2011, with M Street proposed to remain open for access to the remainder of E. Crestone Ave. That request was denied based on concerns about the slope of M Street and public input in opposition to the vacation. The current application and site designs attempt to address the safety issues via two distinct street configuration/access options that are discussed below. The current application also lays out more clearly the specifics of the conceptual development being discussed for the overall site—though, as mentioned above, any such proposal would require subsequent review.

**FINANCIAL IMPACTS:**

Though not explicitly required for the purpose of review of this right-of-way vacation application, staff has attached to this report relevant financial information regarding the potential development of the proposed affordable housing project, for context. The document includes estimated costs to the City of Salida for related street improvements and design, current value of the city-owned lots, as well as additional expenses required as part of preparing the applications.



**REQUEST FOR CITY COUNCIL ACTION**

Meeting Date: August 18, 2020

<b>AGENDA ITEM NO.</b>  5.b.	<b>ORIGINATING DEPARTMENT:</b>  Community Development	<b>PRESENTED BY:</b>  Bill Almquist
------------------------------------	-------------------------------------------------------------	-------------------------------------------

**REVIEW STANDARDS FOR VACATION OF RIGHT-OF-WAY (Sec. 16-6-130):**

(1) Evaluation standards. The following items shall be considered in evaluating the vacation of a recorded plat, right-of-way or easement outlined below:

- i. **Access to public road.** No roadway shall be vacated so as to leave any adjoining land without a means of access to another public road.
  - No adjoining lands would be left without a means of access to another public road, as both City-owned parcels front on W. Third St. and said frontage would be expanded for both parcels via the right-of-way vacation and subsequent property conveyance.
  - Only four properties in the vicinity (110-140 E. Crestone Ave) have designated parking access off of E. Crestone Ave, one-half block west of the subject right-of-way. If the eastern-most portion of E. Crestone Ave (subject property) were to be vacated, those properties could still be accessed via M Street and/or Crestone Avenue.
  - Chaffee Housing Trust, with input from City staff, has provided the conceptual site plans below showing two feasible options for future street configurations in the immediate vicinity:

**Option 1** shows the closure (not vacation) of M Street from W. Third St. to E. Crestone Ave. and construction of a cul-de-sac at the new end of E. Crestone Ave. This option also proposes a pedestrian sidewalk winding its way through the M Street right-of-way between W. Third St. and E. Crestone Ave. with surrounding landscaping. If such a development were to materialize, the four properties on E. Crestone Ave. (along with other properties in the vicinity) could still be accessed via Crestone Avenue and other nearby roads. Staff has indicated that signage would be required at the top of E. Crestone Avenue to advise motorists of the “dead-end” nature of the street. This option would reduce vehicular traffic on E. Crestone Ave by eliminating the access from W. Third St.

**Option 2** shows the realignment/improvement of M Street, kept open between W. Third St. and E. Crestone Ave., eliminating a potentially hazardous slope on that roadway. If such a development were to materialize, the four properties on E. Crestone Ave. (along with other properties in the vicinity) could still be accessed via M Street and other nearby roads. A conceptualized drawing of the reconfigured M Street, shown from its intersection with W. Third Street, is also attached at the end of this report.





**REQUEST FOR CITY COUNCIL ACTION**

Meeting Date: August 18, 2020

AGENDA ITEM NO.	ORIGINATING DEPARTMENT:	PRESENTED BY:
5.b.	Community Development	Bill Almquist

Staff finds that the proposed right-of-way vacation will not leave any adjoining land without public road access. Furthermore, the applicant has demonstrated that there are feasible street configurations that would still provide such access if the City-owned parcels (plus the right-of-way proposed to be vacated) were to be developed. In both options, the potentially hazardous acute angle at the intersection of E. Crestone Ave and W. Third St. would be eliminated.

ii. **Easements.** In granting a vacation, the City may reserve easements for the installation or maintenance of utilities, ditches and similar improvements.

- There is currently a sewer line that traverses under the portion of E. Crestone Ave proposed to be vacated. An access and maintenance easement would need to be reserved in the case that the property were to be transferred to another owner, unless the sewer line were to be relocated off the site. The conceptual site plan provided by the Chaffee Housing Trust (CHT) shows the sewer line relocated to M Street in order to increase the developable area of the lot. If such a development were to materialize, no easement for the sewer line would be required on the site.
- The conceptual site plan provided by CHT (as seen in Street Configuration Option 1) shows a 10-foot access and maintenance easement on the east side of the cul-de-sac, per requirements of Public Works. A similar easement could be required as part of a future development review if any part of M Street (Street Configuration Option 2) were to be located immediately adjacent the development site.
- There are overhead electric and television cables in the area of the E. Crestone Avenue right-of-way proposed to be vacated, and the utility companies have been notified. The City of Salida is currently in discussions with Xcel Energy about undergrounding the overhead electric lines. Any rerouting would be coordinated with the development plan.

Staff finds the proposed right-of-way vacation in conformance with this standard.

iii. **Comprehensive Plan.** A subdivision plat, public right-of-way or dedicated easement may be vacated if the vacation would be consistent with or implements the applicable intent statements, specific directions and recommended actions of the Comprehensive Plan.

- Policy LU&G-I.1 states that “New development within the city shall make the most appropriate use of the land using design standards that enhance and complement the historic built environment of the city.” Increasing the developable frontage along W. Third St. would facilitate the potential for matching traditional historic building patterns seen in the surrounding neighborhood (see elevations attached to this report).



**REQUEST FOR CITY COUNCIL ACTION**

Meeting Date: August 18, 2020

AGENDA ITEM NO.	ORIGINATING DEPARTMENT:	PRESENTED BY:
5.b.	Community Development	Bill Almquist

- Policy LU&G-I.2 states that “Infill and redevelopment should be encouraged and will advance the objectives of this plan.” The accompanying Action LU&G-I.2.c guides the City to “Focus new development in the Salida area within the Municipal Services Area to ensure adequate provision of services and limit sprawl development around the city.” Vacating this portion of E. Crestone Ave. and consolidating adjacent City-owned parcels would make infill more likely in this particular location close to the center of the city.
- It is currently the intention of the City to vacate a portion of E. Crestone Avenue and to rezone the parcel immediately to the south in order to consolidate properties into one development site that may be developed in accordance with the development standards of the R-2 district. Such a site could be used, among other possibilities, for the creation of up to six affordable housing units, including one accessory dwelling unit. Increasing the amount of affordable housing in the City is one of the key principles identified in the Comprehensive Plan, and supported by guidance such as:
  - Policy H-II.3: “Work cooperatively with other agencies to provide affordable housing and home improvements.”
  - Action Item H-II.3: “Maintain and strengthen relationships with affordable housing providers in the community and examine ways the city can provide both monetary and non-monetary support for housing agencies in the community.”
  - “Other efforts from the city could include the possible allocation of city-owned lands for affordable housing projects...” (Page 6-2)
  - Page 6-4 of the Comprehensive Plan, which discusses the 2007 Chaffee County Housing Needs Assessment (Needs Assessment) and states the following:  
 “Following the findings in the Needs Assessment, the City Council adopted the City of Salida Strategic Housing Plan (“Strategic Plan”)... The Strategic Plan identifies twelve implementation measures for the city. Adoption of the Strategic Plan was followed closely by the creation of the Chaffee Housing Trust (“Housing Trust”), a community land trust. *Implementation measure #9 from the Strategic Plan states that the city should provide direct support for the Housing Trust.*” (emphasis added)

The City is following the tenets of the Comprehensive Plan and the Strategic Housing Plan by working with the Chaffee Housing Trust to prepare a city-owned site that could potentially be used for the construction of affordable housing units. Such units would help meet just a portion of the affordable housing need identified in the Needs Assessment (which was updated in 2016 and shows an even greater need than in 2007).



## REQUEST FOR CITY COUNCIL ACTION

Meeting Date: August 18, 2020

AGENDA ITEM NO.	ORIGINATING DEPARTMENT:	PRESENTED BY:
5.b.	Community Development	Bill Almquist

- It should be noted that the Comprehensive Plan and current subdivision guidelines recommend against the construction of cul-de-sacs in order to promote connectivity. Staff feels that a cul-de-sac *could* be warranted in this particular location because of ample access for residents to and from the mesa from the south (L Street, Crestone Avenue, various streets off of Poncha Ave), and also Mesa Lane and CR 160 to the north. Pedestrian access would remain available in the M Street right-of-way with the cul-de-sac option, and emergency services would be able to access all the surrounding properties via W. Third Street, E. Crestone Ave, and Crestone Ave. Street Configuration Option 2, reconfiguring and regrading M Street, would eliminate the need for a cul-de-sac and would retain safe vehicular and pedestrian access between W. Third St. and the rest of E. Crestone Ave. For this reason, Street Configuration Option 2 is staff's preferred option.
- Traffic analyses are generally only required for developments much larger than six residential units, and even then they are only required during formal development review. However, some broad-brush numbers and scenarios are provided here, for context, regarding CHT's conceptual development plan:
  - According to the ITE Trip Generation Manual, 10<sup>th</sup> Edition, the average single-family detached housing unit generates roughly 9 trips/day. Similar types of multi-family units average around 7 trips/day. A very conservative estimate—taking into account the anticipated smaller-than-average size of the units, corresponding smaller household size, and close proximity to downtown with commercial services and employment centers—would be that the development could generate a *maximum* of up to approximately 50 vehicle trips per day, or an average of just over 2 trips per hour (though some of those trips would be concentrated during the AM and PM “rush” hours). Staff estimates a more realistic estimate would be a total of approximately 36 trips/day, especially given the high level of walkability and bike-ability of the location.
  - Given that the dedicated parking for the six units in the conceptual plan is located to the rear, off of E. Crestone Ave, the streets where these trips would occur would depend primarily on the surrounding street re-configuration/access. For instance, with Street Configuration Option 1 (M Street closed, access to development only from the new terminus of E. Crestone Ave), it could be expected that those trips would be added largely to Crestone Avenue (mostly east of E. Crestone Ave, some to the west), with a smaller number of trips dispersed throughout the local roads on Crestone Mesa. The overall number of trips on E. Crestone Ave would be reduced considerably. With Street Configuration Option 2 (M Street remains open, but reconfigured), it would be expected that those trips would be added primarily to W. Third Street, with a smaller number dispersed to Crestone Avenue (primarily to the west) and throughout the local



**REQUEST FOR CITY COUNCIL ACTION**

Meeting Date: August 18, 2020

AGENDA ITEM NO.	ORIGINATING DEPARTMENT:	PRESENTED BY:
5.b.	Community Development	Bill Almquist

roads on Crestone Mesa. The overall amount of traffic on E. Crestone Ave, west of the development, would be expected to remain approximately the same.

The relative impact to existing traffic would be larger in the case of Street Configuration Option 1 (onto Crestone Ave) than the relative impact to existing traffic in the case of Street Configuration Option 2 (onto W. Third Street). This is due to the discrepancy in existing traffic between those two streets—estimated at approximately 2500/day on W. Third Street and approximately 1000/day on Crestone Avenue. In either case, the overall impact of the (maximum) 6-unit development on the surrounding streets is expected to be insignificant.

Staff finds that the vacation would implement the applicable intent statements, specific directions and recommended actions of the Comprehensive Plan.

- iv. **Transfers or sales of lots.** A subdivision plat may be vacated if none of its lots have been sold or transferred; or, if there have been sales or transfers, then if there has been no development on any lots in the subdivision and all owners agree to the vacation of the plat.

This standard is not applicable.

**REVIEW AGENCY COMMENTS:**

**Finance Department – Aimee Tihonovich/Renee Thonoff** – *No concerns from a financial impact. Upon development, System Development Fees for water and sewer are required. The City of Salida charges these fees per unit.*

**Fire Department – Chief Doug Bess** – *East Crestone is not a primary response route for the Fire Department as we typically take 3<sup>rd</sup> Street to Poncha Boulevard. Should the East Crestone right-of-way be vacated, it will not have an adverse effect on response times.*

**Public Works – David Lady** -- *1) E. Crestone Ave is an active right-of-way for both traffic, drainage, and sewer utility uses. Redesign and relocation would be necessary for the viability of vacation. Redesign shall be in general conformance with AASHTO design standards for roadway infrastructure and in accordance with City of Salida Design Criteria Manual for Water, Sewer, Stormwater, and Streets. 2) A design review and acceptance of proposed changes to the public infrastructure would be necessary prior to proceeding with physical abandonment.*



## REQUEST FOR CITY COUNCIL ACTION

Meeting Date: August 18, 2020

<b>AGENDA ITEM NO.</b> 5.b.	<b>ORIGINATING DEPARTMENT:</b> Community Development	<b>PRESENTED BY:</b> Bill Almquist
--------------------------------	---------------------------------------------------------	---------------------------------------

**Police Department – Russ Johnson** – *(The proposed vacated right-of-way) is an access point to the Mesa, but it is not a main road. If M St. remains open, it needs to be clearly marked that (East) Crestone Ave. is closed (prior to development).*

**County Sheriff – John Speeze** – *We have no concerns as this is in the City of Salida and does not interfere with any County building function.*

**Utilities** – (No comments have been received as of the publishing of the staff report and packet. Any comments received prior to the meeting will be presented in person by staff)

### **RECOMMENDED FINDINGS:**

That the application is in compliance with the review standards for right-of-way vacations because this application does not restrict access to any adjoining lands and is consistent with the policies and guidance of the Comprehensive Plan.

### **STAFF RECOMMENDATION:**

Staff recommends approval of Ordinance 2020-11 (and approval of the recommendations of Planning Commission below) on second reading.

### **PLANNING COMMISSION RECOMMENDATION:**

On June 22, 2020 the Planning Commission recommended in a 4-2 vote that the Council approve the vacation of right-of-way request, in addition to the following recommendations:

- That the site be used for affordable housing
- That the current access be continued until the project receives approval
- That Council direct City staff to pursue Street Configuration Option 2 to reconfigure M Street and retain that access to and from E. Crestone Ave

### **SUGGESTED MOTIONS:**

A Council person should make a motion to “Approve Ordinance 2020-11: An ordinance to vacate a segment of the East Crestone Avenue right-of-way adjacent to West Third Street, totaling approximately .18 acres, on second reading.”



**REQUEST FOR CITY COUNCIL ACTION**

Meeting Date: August 18, 2020

AGENDA ITEM NO.	ORIGINATING DEPARTMENT:	PRESENTED BY:
5.b.	Community Development	Bill Almquist

**Attachments**

Ordinance 2020-11  
Vacation Plat and Legal description  
Application  
Comments from 03/04/20 Neighborhood Meeting Hosted by City and CHT  
CHT Conceptual Site Plan  
CHT Conceptual Elevation  
M Street Configuration Conceptual Photo Illustration from W. Third St.  
M Street Elevation Profile and Preliminary CAD Design  
Proof of Publication  
Public Comment Letters  
Letter from CHT re: Sales Price Differences  
City Cost Estimate Sheet

**CITY OF SALIDA, COLORADO**  
**ORDINANCE NO. 11**  
**(Series of 2020)**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO, VACATING A PORTION OF THE EAST CRESTONE AVENUE RIGHT OF WAY AT THE INTERSECTION WITH WEST THIRD STREET.**

**WHEREAS**, pursuant to C.R.S. § 43-2-301 *et seq.*, the City of Salida (the “City”), acting by and through its City Council (“Council”), possesses the authority to divest the City’s interest in platted or designated public streets, roads, and other public ways by ordinance; and

**WHEREAS**, the vacation and disposition of municipal interests in public rights-of-way and other public property is identified by the appellate courts of the State of Colorado as a legislative and discretionary function of the local governing body; and

**WHEREAS**, an application has been made for the vacation of a portion of East Crestone right-of-way located at West Third Street within the City; and

**WHEREAS**, the City is co-applicant on the vacation request with the Chaffee Housing Trust, a 501(c)3 nonprofit who is in discussions with the City regarding potential affordable housing on the site per direction of the City Council on July 16, 2019 and October 15, 2019; and

**WHEREAS**, said application has been found to be legally sufficient for consideration and action by the Salida Planning Commission and the Council under the City Code (the “Code”); and

**WHEREAS**, the Salida Planning Commission at a duly noticed public hearing on June 22, 2020 found that the application complied with the Code, the Salida Comprehensive Plan, and City plans and policies, and therefore recommended its approval by the Council; and

**WHEREAS**, the Salida Planning Commission, in addition to recommending approval of the vacation application to the Council, made the following additional recommendations: that the resulting site and lots would be subject to the use of affordable housing; that said portion of East Crestone Avenue would remain open until final project and development approval; and that City staff be directed to pursue “Street Configuration Option 2” as identified in the June 22, 2020 staff report (which would enhance and maintain M Street access to/from Crestone Mesa); and

**WHEREAS**, the Council considered the application at a duly noticed public hearing on August 18, 2020, and found that the application complied with the Code and the Salida Comprehensive Plan, and City plans and policies, and concurred with the Salida Planning Commission’s recommendations on the application; and

**WHEREAS**, the subject right of way has not been established as a state highway; and

**WHEREAS**, Council finds that vacating a portion of the right-of-way, as more particularly described in **Exhibit A**, is desirable and appropriate, will not cause harm to the public and will not leave any adjacent properties without access to the public road system; and

**WHEREAS**, the Council therefore desires to vacate that portion of East Crestone right-of-way located at West Third Street, as requested by the applicants, and as further described in this Ordinance.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO:**

1. Incorporation of Recitals. The aforementioned recitals are hereby fully incorporated herein.

2. Vacation of Right of Way. City Council hereby vacates, renounces and disclaims an approximate 7,710 square feet of East Crestone Avenue right-of-way more particularly described in **Exhibit A**.

3. Vesting of Title. Upon the recording of this Ordinance and Exhibit, title to the vacated right of way as described in **Exhibit A** shall vest in the City of Salida, the property owner of both abutting land parcels, pursuant to section 43-2-302(1)(c), C.R.S. and the Code. City Council hereby authorizes the Mayor to execute quitclaim deeds to the vacated right-of-way.

4. Recording. Upon the effective date of this Ordinance, the City Clerk is directed to record a copy of this Ordinance and the quitclaim deeds with the Chaffee County Clerk and Recorder's office as required by C.R.S. § 43-1-202.7.

5. Severability. The provisions of this ordinance are severable and the invalidity of any section, phrase, clause or portion of the ordinance as determined by a court of competent jurisdiction shall not affect the validity or effectiveness of the remainder of the ordinance.

INTRODUCED ON FIRST READING, on July 7, 2020, ADOPTED and ORDERED PUBLISHED IN FULL in a newspaper of general circulation by the City Council on this \_\_\_\_ day of \_\_\_\_\_, 2020 and set for second reading and public hearing on the 18<sup>th</sup> day of August 2020.

INTRODUCED ON SECOND READING FINALLY ADOPTED and ORDERED PUBLISHED BY TITLE ONLY by the City Council on this 18th day of August, 2020.

City of Salida

---

Mayor P.T. Wood

ATTEST:

---

City Clerk/Deputy City Clerk

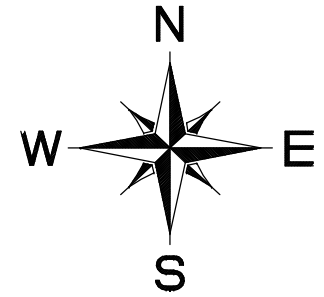
**Exhibit A**

[Description of Vacated Roadway]

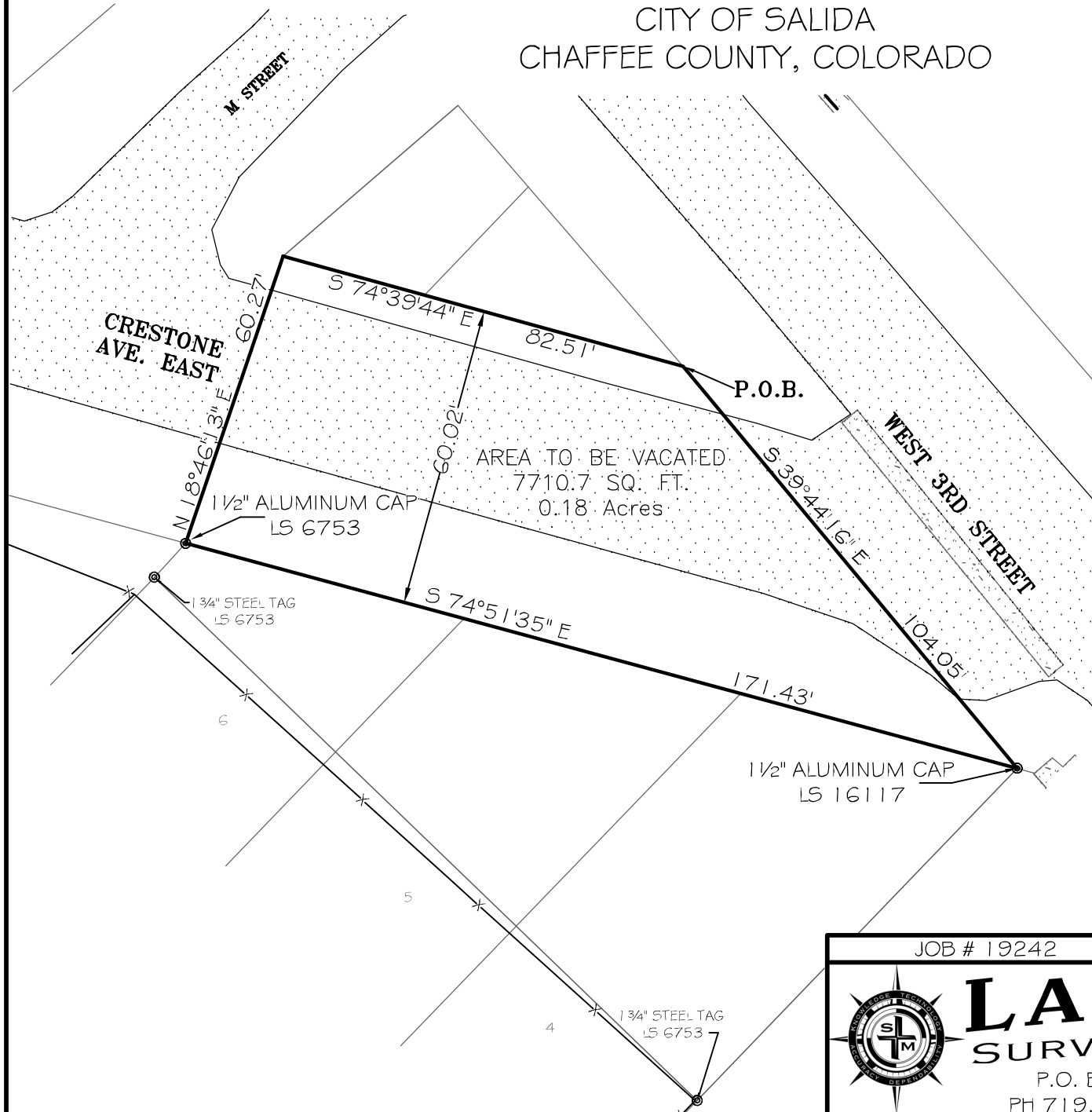
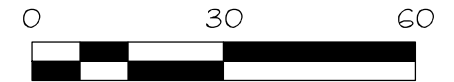
See Description Below

# CRESTONE AVE. EAST VACATION EXHIBIT

CITY OF SALIDA  
CHAFFEE COUNTY, COLORADO



SCALE  
1" = 30'



## NOTES:

1) BASIS OF BEARING FOR THIS SURVEY IS GRID NORTH FROM COLORADO STATE PLANE COORDINATE SYSTEM CENTRAL ZONE, BASED ON G.P.S. OBSERVATIONS ALONG THE SOUTHERN RIGHT-OF-WAY OF CRESTONE AVE. EAST BETWEEN A 1 1/2" ALUMINUM CAP STAMPED "LS 6753" AND A 1 1/2" ALUMINUM CAP STAMPED "LS 16117" HAVING A BEARING OF SOUTH 74°51'35" EAST.

JOB # 19242

DATE: MARCH 11, 2020



**LANDMARK**  
SURVEYING & MAPPING

P.O. BOX 668 SALIDA, CO 81201  
PH 719.539.4021 FAX 719.539.4031

**LEGAL DESCRIPTION  
OF A  
TRACT OF LAND**

A PORTION OF THE RIGHT-OF-WAY OF CRESTONE AVENUE EAST IN THE CITY OF SALIDA, CHAFFEE COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH-EASTERLY RIGHT-OF-WAY OF CRESTONE AVENUE EAST AND THE SOUTH-WESTERLY RIGHT-OF-WAY OF WEST 3RD STREET, SAID INTERSECTION BEING THE SOUTH-EAST CORNER OF THE CITY OF SALIDA PROPERTY DESCRIBED AT RECEPTION NO. 292150;

THENCE SOUTH 39°44'16" EAST, A DISTANCE OF 104.05 FEET TO A 1½" ALUMINUM CAP STAMPED "LS 16117", AND THE SOUTHWESTERLY RIGHT-OF-WAY OF CRESTONE AVENUE EAST;

THENCE NORTH 74°51'35" WEST ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY, A DISTANCE OF 171.43 FEET TO A 1½" ALUMINUM CAP STAMPED "LS 6753";

THENCE NORTH 18°46'13" EAST, A DISTANCE OF 60.27 FEET TO THE NORTHEASTERLY RIGHT-OF-WAY OF CRESTONE AVENUE EAST;

THENCE SOUTH 74°39'44" EAST ALONG SAID NORTHEASTERLY RIGHT-OF-WAY, A DISTANCE OF 82.51 FEET TO THE POINT OF BEGINNING.

CONTAINING 7710.7 SQUARE FEET.

PREPARED BY:





PO Box 692  
Buena Vista, CO 81211  
(719) 239-1199  
www.chaffeehousing.org  
info@chaffeehousing.org

Bill Almquist, Planner  
Community Development Department  
City of Salida  
448 East First Street, #112  
Salida, CO 81201

Bill,

The Chaffee Housing Trust (CHT) is submitting the enclosed application for the Right of Way vacation of East Crestone Ave on two parcels of City owned land at the intersection of M Street and 3rd Street.

The purpose of this application is to vacate the section of East Crestone Avenue that splits the two parcels, PT Lot 4-6 Strip C and PT lot 6 Strip C, both in the Eddy Brothers Addition, Salida.

As a result of this action:

- No adjoining land will be left without means of access to a public road
- The parcel created by the ROW vacation shall be made accessible by introducing a driveway with entrance on 3<sup>rd</sup> Street.
- The parcel has a sewer line that runs diagonally across the property, along the existing East Crestone Ave. A 20' easement for access to the sewer line for any future maintenance will be maintained. No structures will be built on this Right-of-Way.
- The 2013 Comp Plan states that the "allocation of City-owned lands for affordable housing projects" as one of the efforts the City may include to the address the affordable housing issue (p.6-2). Implementation measure #9 from the Strategic Plan states that "the City should provide direct support for the Housing Trust" (p.6-4). See application for Major Impact Review, section 1, for additional information.

Cordially,

Read McCulloch  
Executive Director





# GENERAL DEVELOPMENT APPLICATION

448 East First Street, Suite 112

Salida, CO 81201

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

Email: [planning@cityofsalida.com](mailto:planning@cityofsalida.com)

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

- |                                                              |                                                                                                 |
|--------------------------------------------------------------|-------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Annexation                          | <input type="checkbox"/> Administrative Review:<br>(Type) _____                                 |
| <input type="checkbox"/> Pre-Annexation Agreement            |                                                                                                 |
| <input type="checkbox"/> Variance                            | <input type="checkbox"/> Limited Impact Review:<br>(Type) _____                                 |
| <input type="checkbox"/> Appeal Application (Interpretation) |                                                                                                 |
| <input type="checkbox"/> Certificate of Approval             | <input checked="" type="checkbox"/> Major Impact Review:<br>(Type) <u>Right of Way vacation</u> |
| <input type="checkbox"/> Creative Sign Permit                |                                                                                                 |
| <input type="checkbox"/> Historic Landmark/District          | <input type="checkbox"/> Other: _____                                                           |
| <input type="checkbox"/> License to Encroach                 |                                                                                                 |
| <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: Chaffee Housing Trust - Read McCulloch / City of Salida

Mailing Address: PO Box 692, Buena Vista, CO 81211

Telephone Number: (719) 239-1199 FAX: \_\_\_\_\_

Email Address: read@chaffeehousing.org

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: M & 3rd

Street Address: Intersection of East Crestone, M St., and 3rd St., Salida

Legal Description: Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_ (attach description)  
PT LOT 4-6 STRIP C EDDY BROTHERS ADD

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 [Signature] Date 2/6/2020

Signature of property owner [Signature] for Drew Nelson Date 6/1/2020



## LIMITED IMPACT & MAJOR IMPACT SUBMITTAL REQUIREMENTS

448 East First Street, Suite 112  
Salida, CO 81201  
Phone: 719-530-2626 Fax: 719-539-5271  
Email: [planning@cityofsalida.com](mailto:planning@cityofsalida.com)

*An application is meant to highlight the requirements and procedures of the Land Use Code. With any development application, it is the responsibility of the applicant to read, understand, and follow all of the provisions of the Land Use Code.*

### 1. PROCEDURE (Section 16-3-80)

**A. Development Process (City Code Section 16-3-50)** Any application for approval of a development permit shall include a written list of information which shall constitute the applicant's development plan, which shall be that information necessary to determine whether the proposed development complies with this Code. The development plan shall include the following, as further specified for each level of review on the pre-application checklist:

1. Pre-Application Conference (Limited Impact and Major Impact Review Applications)
2. Submit Application
4. Staff Review. Staff report or decision forwarded to the applicant (Administrative review)
5. Public Notice
6. Public Hearing with Planning Commission (Limited Impact and Major Impact Review Applications)
7. Public Notice
8. Hearing Conducted by City Council (Major Impact Review)

### **B. Application Contents (City Code Section 16-3-50)**

1. A General Development Agreement completed.
2. A copy of a current survey or the duly approved and recorded subdivision plat covering the subject lots where the proposal is for development on previously subdivided or platted lots;
3. A brief written description of the proposed development signed by the applicant;
4. Special Fee and Cost Reimbursement Agreement completed.
5. 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 notarized affidavits for proof of posting the public notice.

7. Developments involving construction shall provide the following information:

(i) A development plan map, at a scale of one (1) inch equals fifty (50) feet or larger with title, date, north arrow and scale on a minimum sheet size of eight and one-half (8½) inches by eleven (11) inches, which depicts the area within the boundaries of the subject lot, including:

a. The locations of existing and proposed land uses, the number of dwelling units and the square footage of building space devoted to each use;

b. The location and dimensions, including building heights, of all existing and proposed Buildings or structures and setbacks from lot lines or building envelopes where exact dimensions are not available;

c. Parking spaces;

d. Utility distribution systems, utility lines, and utility easements;

e. Drainage improvements and drainage easements;

f. Roads, alleys, curbs, curb cuts and other access improvements;

g. Any other improvements;

h. Any proposed reservations or dedications of public right-of-way, easements or other public lands, and

i. Existing topography and any proposed changes in topography, using five-foot contour intervals or ten-foot contour intervals in rugged topography.

(ii) 24" x 36" paper prints certified by a licensed engineer and drawn to meet City specifications to depict the following:

a. Utility plans for water, sanitary sewer, storm sewer, electric, gas and telephone lines;

b. Plans and profiles for sanitary and storm sewers; and

c. Profiles for municipal water lines; and

d. Street plans and profiles.

(iii) Developments in the major impact review procedure shall provide a development plan map on paper prints of twenty-four (24) inches by thirty-six (36) inches, with north arrow and scale, and with title and date in lower right corner, at a scale of one (1) inch equals fifty (50) feet or larger which depicts the area within the boundaries of the subject lots and including those items in Section 16-3-40(a) (3).

8. Any request for zoning action, including review criteria for a requested conditional use (Sec. 16-4-190 ) or zoning variance (Sec. 16-4-180);

9. Any subdivision request including a plat meeting the requirements of Section 16-6-110;

10. Any other information which the Administrator determines is necessary to determine whether the proposed development complies with this Code, including but not limited to the following:

(i) A tabular summary of the development proposal, which identifies the total proposed development area in acres, with a breakdown of the percentages and amounts devoted to specific land uses; total number and type of proposed residential units; total number of square feet of proposed nonresidential space; number of proposed lots; and sufficient information to demonstrate that the plat conforms with all applicable dimensional standards and off-street parking requirements.

(ii) A description of those soil characteristics of the site which would have a significant influence on the proposed use of the land, with supporting soil maps, soil logs and classifications sufficient to enable evaluation of soil suitability for development purposes. Data furnished by the USDA Natural Resource Conservation Service or a licensed engineer shall be used. The data shall include the shrink/swell potential of the soils, the groundwater levels and the resulting foundation requirements. Additional data may be required by the City if deemed to be warranted due to unusual site conditions.

(iii) A report on the geologic characteristics of the area, including any potential natural or man-made hazards which would have a significant influence on the proposed use of the land, including but not limited to hazards from steep or unstable slopes, rockfall, faults, ground subsidence or radiation, a determination of what effect such factors would have, and proposed corrective or protective measures.

(iv) Engineering specifications for any improvements.

(v) A plan for erosion and sediment control, stabilization and revegetation.

(vi) A traffic analysis prepared by a qualified expert, including projections of traffic volumes to be generated by the development and traffic flow patterns, to determine the impacts of a proposed development on surrounding City streets and to evaluate the need for road improvements to be made.

(vii) A storm drainage analysis consisting of the following:

(a) A layout map (which may be combined with the topographic map) showing the method of moving storm sewer water through the subdivision shall be provided. The map shall also show runoff concentrations in acres of drainage area on each street entering each intersection. Flow arrows shall clearly show the complete runoff flow pattern at each intersection. The location, size and grades of culverts, drain inlets and storm drainage sewers shall be shown, as applicable.

(b) The applicant shall demonstrate the adequacy of drainage outlets by plan, cross-section and/or notes and explain how diverted stormwater will be handled after it leaves the subdivision. Details for ditches and culverts shall be submitted, as applicable.

(c) The projected quantity of stormwater entering the subdivision naturally from areas outside of subdivision and the quantities of flow at each pickup point shall be calculated.

(viii) Evidence of adequate water supply and sanitary sewer service - Data addressing the population planned to occupy the proposed subdivision and future development phases and other developments that may need to be served by extensions of the proposed water supply and sewage disposal systems. The resulting domestic, irrigation and fire flow demands shall be expressed in terms of

gallons of water needed on an average day and at peak time, and the resulting amounts of sewage to be treated shall be expressed in gallons per day.

(ix) An analysis shall be submitted addressing how water for domestic use and for fire flows is to be provided, along with the collection and treatment of sewage generated by the property to be subdivided.

(x) A statement shall be submitted addressing the quantity, quality and availability of any water that is attached to the land.

(xi) A preliminary estimate of the cost of all required public improvements, tentative development schedule (with development phases identified), proposed or existing covenants and proposed maintenance and performance guarantees. The applicant shall submit, at least in summary or outline form, any agreements as may be required by Section 16-2-70, relating to improvements and dedications.

(xii) If intending to use solar design in the development, include a description of the steps that have been taken to protect and enhance the use of solar energy in the proposed subdivision. This shall include how the streets and lots have been laid out and how the buildings will be sited to enhance solar energy usage.

(xiii) If applicable, a report shall be submitted identifying the location of the one-hundred-year floodplain and the drainage ways near or affecting the property being subdivided. If any portion of a one-hundred-year floodplain is located on the property, the applicant shall also identify the floodway and floodway fringe area. The applicant shall also describe the steps that will be taken to ensure that development locating in the floodway fringe area is accomplished in a manner which meets Federal Insurance Administration standards.

(xiv) If applicable, a report shall be submitted on the location of wetlands, as defined by the U.S. Army Corp of Engineers, on or affecting the property being subdivided. The report shall outline the development techniques planned to ensure compliance with federal, state and local regulations.

(xv) A landscape plan, meeting the specifications of Section 16-8-90.

(xvi) If applicable, a description of how the proposal will comply with the standards of any of the overlays.

(xvii) A site plan for parks, trails and/or open space meeting the requirements of Section 16-6-110 below. If an alternate site dedication or fee in lieu of dedication is proposed, detailed information about the proposal shall be submitted.

(xviii) All development and subdivision naming shall be subject to approval by the City. No development or subdivision name shall be used which will duplicate or be confused with the name of any existing street or development in the City or the County;

11. An access permit from the Colorado Department of Transportation; and

12. A plan for locations and specifications of street lights, signs and traffic control devices.

## 2. REVIEW STANDARDS (If necessary, attach additional sheets)

The application for Limited or Major Impact Review shall comply with the following standards.

**1. Consistency with Comprehensive Plan.** The use shall be consistent with the City's Comprehensive Plan.

Per the 2013 Salida Comprehensive Plan, page 3-6, Zoning Districts, it states, "An appropriate range of housing types will be available to serve the varied lifestyles, ages, and income levels of residents." On page 4-6 it states, "...the vision for the City of Salida to be a place that is affordable for multi-generational population to live, work, play and raise a family. Planning ... will allow the city to be proactive in creating opportunities for current and future residents to remain in the community." Page 6-1, "The existing pattern of a mixture of housing types, family sizes and incomes in Salida neighborhoods is integral to the character of the community. Decent housing should be attainable by all citizens of Salida whether to rent or to own. Affordable housing has been a growing concern in recent years as the increase in housing costs has outpaced wage increases. While Salida may seem to some like an affordable alternative to other Colorado resort communities, rising housing costs have put pressure on local residents to live outside of the municipality, live in sub standard housing or leave the community. Ensuring diverse housing opportunities are available will enhance and support the city's economic and social diversity, and help maintain the sense of community. . . The city recognizes that the cost of infrastructure per household is reduced as density increases and dense housing should be encouraged" On page 6-2, it states, "Salida is not a city of gated communities or income defined neighborhoods. The city was built with functional neighborhoods constructed with a variety of home sizes, styles and income levels. Small multifamily structures were integrated into neighborhoods of large and small single-family homes providing neighborhoods which housed a variety of household sizes and incomes. The diversity of housing types drives the integrated feel of the neighborhoods in Salida and this quality is highly valued." On page 6-6, "Policy H-I.1 – Provide a mix of housing types and densities throughout the city to address a variety of incomes and lifestyles." Page 6-2 states, "The possibility exists for the city to...provid(e) meaningful incentives to developers that provide affordable housing. Other efforts from the city could include the possible allocation of city owned lands for affordable housing projects or offering reduced fees associated with the cost of developing affordable housing." On page 6-4 it states, "Adoption of the Strategic Plan was followed closely by the creation of the Chaffee Housing Trust ("Housing Trust"), a community land trust. Implementation measure #9 from the Strategic Plan states that the city should provide direct support for the Housing Trust.

**2. Conformance to Code.** The use shall conform to all other applicable provisions of this Land Use Code, including, but not limited to:

- a. Zoning District Standards. The purpose of the zone district in which it is located, the dimensional standards of that zone district, and any standards applicable to the particular use, all as specified in Article 5, Use and Dimensional Standards.

Once the two parcels are joined into one, the new parcel should be zoned R-2 (separate Major Impact Review application), similar to the neighboring properties. Properties adjacent to the proposed lot to the northwest, northeast, and southeast are all zoned R-2. All these properties lie at a lower elevation than properties to the southwest, which lie on a mesa this is higher than rooftops to the northeast. This topographical distinction reflects the change in zoning from R-2 to R-1 for parcels that are on top of the mesa. New parcel will meet all standards pertinent to R-2. Right of Way vacation will conform to all applicable codes.

- b. Site Development Standards. The parking, landscaping, sign and improvements standards.

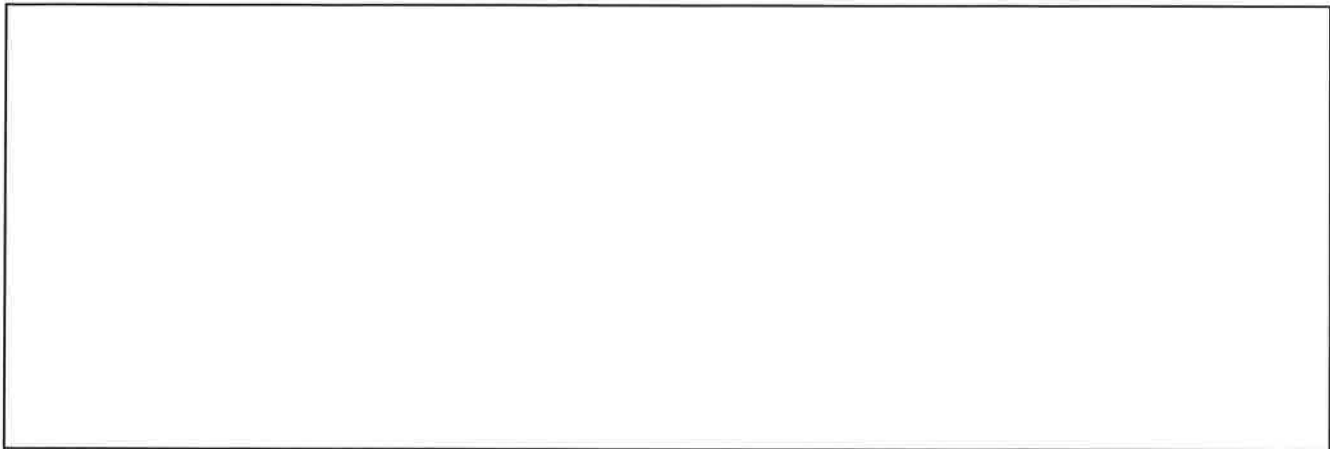
At the time of development application, the CHT will provide all necessary parking, landscaping, and sign improvements as requested by the City of Salida, and that result from the pre-development public process.

**3. Use Appropriate and Compatible.** The use shall be appropriate to its proposed location and be compatible with the character of neighboring uses, or enhance the mixture of complementary uses and activities in the immediate vicinity.

The proposed use, residential housing, conforms with all neighboring property uses and zoning. As stated in #2 above, the parcel should be zoned R-2 to be compatible with adjacent properties. This project will fill a spatial gap created by the intersection of three streets. Construction of housing on the newly created parcel will create a continuous frontage of housing along the south side of 3<sup>rd</sup> Street, joining the frontage of the homes to the southeast. Refer to the responses to question #1 regarding the appropriateness of affordable housing on this site.

**4. Nuisance.** The operating characteristics of the use shall not create a nuisance and the impacts of the use on surrounding properties shall be minimized with respect to noise, odors, vibrations, glare, and similar conditions.

The operating characteristics, residential use, will not have an impact on neighboring properties. Residents of the future homes created on this lot will be similar to the majority of Salida residents, i.e. regular working families with steady incomes who can responsibly make payments on a mortgage or rent. Per the Community Land Trust model, the CHT will retain ownership to the underlying land, selling or renting the improvements (homes) to qualified county residents. Lease agreements will include provisions for the CHT to respond to any issues of nuisance. Residents may be evicted for failure to comply with lease agreements including nuisance, failure to maintain their residence, or non-compliance with condominium owners association rules and regulations. The CHT will also have the right to remedy any nuisance or failure to maintain the property. These provisions exceed existing provisions for neighboring properties, making the CHT property less likely to be a nuisance than those adjacent or in the neighborhood.



**5. Facilities.** There shall be adequate public facilities in place to serve the proposed use, or the applicant shall propose necessary improvements to address service deficiencies which the use would cause.

Water and sewer access, as well as electricity, are available on site or adjacent to the site. The existing sewer line that runs down E. Crestone Ave is protected by a 20' right of way, and no structures will be placed within that right of way so that the sewer is be maintained for public benefit, accessible for any future maintenance or repair.

**6. Environment.** The use shall not cause significant deterioration to water resources, wetlands, wildlife habitat, scenic characteristics, or other natural features. As applicable, the proposed use shall mitigate its adverse impacts on the environment.

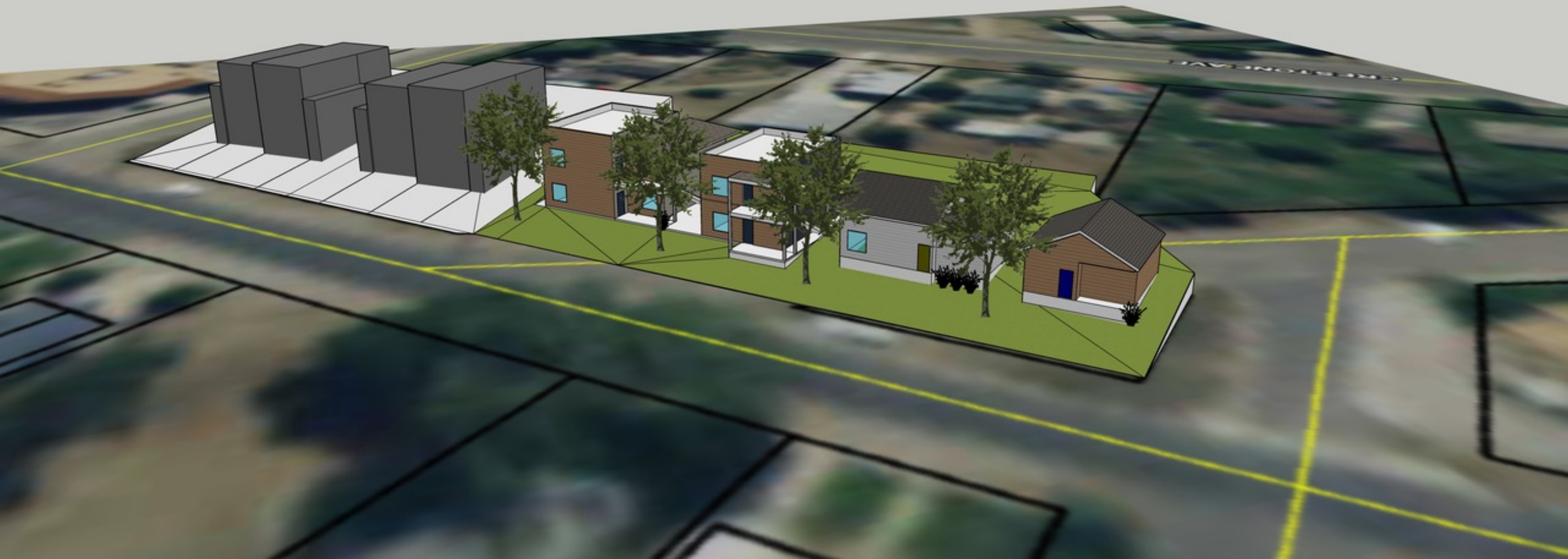
The use will improve the characteristics of the neighborhood by making use of space consumed by redundant streets, currently covered with asphalt or left as neglected and unattended open space. The addition of landscaping and the planting of trees on site will improve the environmental and aesthetic aspects of the site.

Notes from 3/4/2020 Neighborhood Meeting at Scout Hut regarding E. Crestone AH project/site:

- Slow the process down
- CHT should pay for the survey that was done
- Make the property survey available to the public
- Concern about lowering property values
- Keep current property zoning
- Will there be new setbacks?
- What is the status of the CHT application?
- What precedent will be set by vacation and re-zoning?
- I question Salida's affordable housing survey (does 700 respondents represent a critical mass that is acceptable?)
- Is there any evidence of municipal workers leaving Salida because of being housing burdened?
- Why doesn't the project have rentals
- Historically, Salida has a mix of expensive and less expensive houses
- Get realtor input on how this project would affect current home values
- What would be the effect to changing traffic pattern by vacation of part of Crestone?
- Concern for impending recession & how this will affect the potential CHT buyer
- Why was lot not offered for public sale?
- Sample housing shown are generally objectionable to neighbors
- Concerns about affordability due to excavation requirements
- Tap fees for potential non-affordable housing will be lost under the CHT proposal
- Concerns about increased traffic and fast Sheriff's vehicles on emergency calls
- Are CHT's setbacks on this project the same as anyone else's?
- Would the ADU be income property for an affordable housing buyer?
- HOA fees? How would that affect affordability?
- Safety concerns due to increased traffic. 3<sup>rd</sup> Street is a corridor for traffic heading downtown.
- Traffic study?
- Project would drive traffic to Crestone & Grand Ave, both of which already have traffic issues
- Fire and Police route concerns
- Concern regarding neighbor's vehicle access and egress with work trucks
- Resident does not like the one-way street option for East Crestone
- Also concerns about the turnaround if bottom of E. Crestone is made into a cul-de-sac
- Residents at the meeting are unanimous in opposing CHT building on this lot
- What happens to M Street?
- Adjoining resident is upset that she didn't get the option to purchase the subject property as "backdoor" to her property
- Request to move Planning Commission date to April 27.

# Conceptual Site Plan for Affordable Housing Development









# CERTIFICATE OF PUBLICATION

STATE OF COLORADO } SS

County of Chaffee

I, MERLE BARANCZYK,

Being first duly sworn according to law, on oath depose and say, that I am, and at all the times herein mentioned, was the publisher of the Mountain Mail and that said Mountain Mail is a daily newspaper of general circulation, in said County and State, printed and published in the City of Salida, County of Chaffee and State of Colorado, and that copies of each number thereof are, and at all the times herein mentioned were, regularly distributed and delivered, by carrier or mail, to each of the subscribers said newspaper, in accordance with the customary method of business in newspaper offices.

That the annexed

NOTICE OF PUBLIC HEARING

FROM

THE CITY OF SALIDA, COLORADO

AND

THE CITY OF SALIDA PLANNING COMMISSION

In the matter of:

RIGHT OF WAY VACATION AND RE-ZONING APPLICATION

SUBMITTED BY:

THE CITY OF SALIDA, COLORADO

REQUEST FOR PROPERTY KNOWN AS:

EAST CRESTONE AVENUE LOCATED WITHIN STRIP C OF  
EDDY BROTHERS ADDITION

(BETWEEN M STREET AND W. THIRD STREET) AND

TO RE-ZONE THE PARCEL KNOWN AS

PART LOT 4-6 STRIP C OF EDDY BROTHERS ADDITION,

SALIDA FROM SINGLE-FAMILY RESIDENTIAL (R-1) TO

MEDIUM-DENSITY RESIDENTIAL (R-2)

This is a true copy of the original, and the same was regularly published in the newspaper proper and not in a supplement, for the full period of ONE (1) INSERTION

of said newspaper, and that the first publication was in the issue dated JULY 31ST, 2020

and that the last publication of the same was in the issue dated JULY 31ST, 2020

and the said Mountain Mail has been established, printed and published for the full period of fifty-two consecutive weeks, and continuously and uninterruptedly prior to the said date of the first publication of the notice aforesaid, in the City of Salida, County of Chaffee and State of Colorado, and is a newspaper duly qualified for the publishing of said notice within the meaning of an Act of the General Assembly of the State of Colorado, approved May 30th, 1923, and entitled "An act to Amend an Act Entitled 'An Act Concerning Legal Notices, Advertisements and Publications and the Fees of Printers and Publishers thereof, and to Repeal all Acts and Parts of Acts in Conflict with the Provisions of this Act'," and within the meaning of an Act amendatory thereof, approved May 18th, 1931 and entitled "An Act to Amend Section 4, of Chapter 139, Session Laws 'of Colorado, 1923, relating to Legal Notices and Advertisements," and within the meaning of any and all other Acts amendatory thereof or supplemental thereto. And further affiant saith not.

The above certificate of publication was subscribed and sworn to before me by the above named Merle Baranczyk who is personally known to me to be the identical person described in the above certificate, on the 31ST Day of JULY, 2020 A.D. FEIN #84-0718607

CHERYL ANN JACKSON, NOTARY PUBLIC-ID#19904011937  
STATE OF COLORADO/COUNTY OF CHAFFEE  
My Commission Expires: September 13<sup>th</sup>, 2022

CHERYL ANN JACKSON  
Notary Public  
State of Colorado  
Notary ID # 19904011937  
My Commission Expires 09-13-2022

## PROOF OF PUBLICATION

### PUBLIC NOTICE NOTICE OF PUBLIC HEARING BEFORE THE CITY COUNCIL FOR THE CITY OF SALIDA CONCERNING A RIGHT OF WAY VACATION AND REZONING APPLICATION

TO ALL MEMBERS OF THE PUBLIC AND INTERESTED PERSONS: PLEASE TAKE NOTICE: that on August 18th, 2020 at or about the hour of 6:00 p.m., a public hearing will be conducted by the Salida City Council at City Council Chambers, 448 East First Street, Salida, Colorado to vacate a portion of a street known as East Crestone Avenue located within Strip C of Eddy Brothers Addition (between M Street and W. Third Street) and to rezone the parcel known as Part Lot 4-6 Strip C of Eddy Brothers Addition, Salida from Single-Family Residential (R-1) to Medium-Density Residential (R-2). Complete legal descriptions are available at City Hall.

The general purpose of the applications is to consolidate existing City-owned properties on either side of the vacated right-of-way and result in a parcel that may be developed in accordance with the development standards of the R-2 district. Subsequent approval requests will be required in order to construct up to six affordable housing units. Interested individuals may make comments during the public hearing in person (abiding by social distancing standards) or via GoToWebinar at: <https://attendee.gotowebinar.com/register/8402368210594753549>. Comments may also be submitted via email ahead of time to [bill.almquist@cityofsalida.com](mailto:bill.almquist@cityofsalida.com) by 12:00pm on August 18th. Further information on the application may be obtained from the Community Development Department by calling (719) 530-2634. To review the City's social distancing policy and other regulations, please visit <https://cityofsalida.com/covid-19info/>.

Published in The Mountain Mail July 31, 2020

CPAXLP

# CERTIFICATE OF PUBLICATION

STATE OF COLORADO } SS

County of Chaffee

I, MERLE BARANCZYK

Being first duly sworn according to law, on oath depose and say, that I am, and at all the times herein mentioned, was the publisher of the Mountain Mail and that said Mountain Mail is a bi-weekly newspaper of general circulation, in said County and State, printed and published in the City of Salida, County of Chaffee and State of Colorado, and that copies of each number thereof are, and at all the times herein mentioned were, regularly distributed and delivered, by carrier or mail, to each of the subscribers said newspaper, in accordance with the customary method of business in newspaper offices.

That the annexed \_\_\_\_\_

PUBLIC NOTICE \_\_\_\_\_

BY \_\_\_\_\_

THE CITY OF SALIDA, COLORADO \_\_\_\_\_

THE SALIDA CITY COUNCIL \_\_\_\_\_

In the matter of \_\_\_\_\_

IN FULL: \_\_\_\_\_

ORDINANCE NO. 11 (SERIES OF 2020) \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO \_\_\_\_\_

VACATING A PORTION OF THE EAST CRESTONE AVENUE RIGHT OF WAY \_\_\_\_\_

AT THE INTERSECTION WITH \_\_\_\_\_

WEST THIRD STREET \_\_\_\_\_

This is a true copy of the original, and the same was regularly published in the newspaper proper and not in a supplement, for the full period of ONE (1) INSERTION of said newspaper, and that the first publication was in the issue dated JULY 14TH, 2020 and that the last publication of the same was in the issue dated JULY 14TH, 2020

and the said Mountain Mail has been established, printed and published for the full period of fifty-two consecutive weeks, and continuously and uninterrupted prior to the said date of the first publication of the notice aforesaid, in the City of Salida, County of Chaffee and State of Colorado, and is a newspaper duly qualified for the publishing of said notice within the meaning of an Act of the General Assembly of the State of Colorado, approved May 30th, 1923, and entitled "An act to Amend an Act Entitled 'An Act Concerning Legal Notices, Advertisements and Publications and the Fees of Printers and Publishers thereof, and to Repeal all Acts and Parts of Acts in Conflict with the Provisions of this Act,'" and within the meaning of an Act amendatory thereof, approved May 18th, 1931 and entitled "An Act to Amend Section 4, of Chapter 139, Session Laws of Colorado, 1923, relating to Legal Notices and Advertisements," and within the meaning of any and all other Acts amendatory thereof or supplemental thereto. And further affiant saith not.

Pursuant to C.R.S. 24-70-103(5) this notice has also been posted online and available at: <https://www.themountainmail.com> and posted online and available at Colorado Press Association Network-Colorado Public Notice Database at: <https://www.publicnoticecolorado.com>

The above certificate of publication was subscribed and sworn to before me by the above named Merle Baranczyk who is personally known to me to be the identical person described in the above certificate, on the 14TH Day of JULY, 2020 A.D. FEIN # 84-0718607

CHERYL ANN JACKSON, NOTARY PUBLIC-ID#19904011937

STATE OF COLORADO/COUNTY OF CHAFFEE

My Commission Expires: September 13<sup>th</sup>, 2022

CHERYL ANN JACKSON  
Notary Public  
State of Colorado  
Notary ID # 19904011937  
My Commission Expires 09-13-2022

## PROOF OF PUBLICATION

**PUBLIC NOTICE  
CITY OF SALIDA, COLORADO  
ORDINANCE NO. 11  
(Series of 2020)**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO, VACATING A PORTION OF THE EAST CRESTONE AVENUE RIGHT OF WAY AT THE INTERSECTION WITH WEST THIRD STREET.**

**WHEREAS**, pursuant to C.R.S. § 43-2-301 et seq., the City of Salida (the "City"), acting by and through its City Council ("Council"), possesses the authority to divest the City's interest in platted or designated public streets, roads, and other public ways by ordinance; and

**WHEREAS**, the vacation and disposition of municipal interests in public rights-of-way and other public property is identified by the appellate courts of the State of Colorado as a legislative and discretionary function of the local governing body; and

**WHEREAS**, an application has been made for the vacation of a portion of East Crestone right-of-way located at West Third Street within the City; and

**WHEREAS**, the City is co-applicant on the vacation request with the Chaffee Housing Trust, a 501(c)3 nonprofit who is in discussions with the City regarding potential affordable housing on the site per direction of the City Council on July 16, 2019 and October 15, 2019; and

**WHEREAS**, said application has been found to be legally sufficient for consideration and action by the Salida Planning Commission and the Council under the City Code (the "Code"); and

**WHEREAS**, the Salida Planning Commission at a duly noticed public hearing on June 22, 2020 found that the application complied with the Code, the Salida Comprehensive Plan, and City plans and policies, and therefore recommended its approval by the Council; and

**WHEREAS**, the Salida Planning Commission, in addition to recommending approval of the vacation application to the Council, made the following additional recommendations: that the resulting site and lots would be subject to the use of affordable housing; that the East Crestone Avenue road use would continue until final project and development approval; and directed City staff to pursue a street configuration identified as "Street Configuration Option 2" in the July 22, 2020 staff report (which would maintain M Street access to/from Crestone Mesa); and

**WHEREAS**, the Council considered the application at a duly noticed public hearing on August 4, 2020, and found that the application complied with the Code and the Salida Comprehensive Plan, and City plans and policies, and concurred with the Salida Planning Commission's

*Proof Of Publication  
(Continued Reverse Side)*



Bill Almquist <bill.almquist@cityofsalida.com>

---

## letter from Alexandra Restrepo

---

gladis hemp <gladisin420@gmail.com>  
To: bill.almquist@cityofsalida.com

Thu, Aug 13, 2020 at 8:30 AM

August 12, 2020

Dear Salida City Council,

I have been a Salida resident since 2014. As a young person, I worked in numerous restaurants in town, sometimes several at the same time, to pull together enough income to pay my rent and my bills. In May 2019, I purchased my first home through the Chaffee Housing Trust.

Affordable housing has changed my life so much in a positive way as a young home owner. It has made my dream of owning my home come true which I never thought would have happened in a town like Salida where the prices are so high.

Affordable housing is a viable solution for the youth community, the future generations that don't necessarily have access to dignified living spaces due to lower income. Affordable housing guarantees that people with low income will have a home to offer their family. This also gives them mental and emotional stability. Owning my home, with low payments I can afford, established myself, and now I can begin to succeed in life.

To give other young people like me a chance, I support the the vacation of East Crestone Ave!

Alex Restrepo  
202 Old Stage Road, Unit D  
Salida, CO 81211



## OFFICE OF HOUSING

PO Box 699  
448 E. 1<sup>ST</sup> STREET, SUITE 225  
SALIDA, CO 81201  
PHONE (719) 530-2590  
WWW.CHAFFEECOUNTY.ORG

Date: May 27, 2020

To: Salida City Council and Salida Planning Commission

CC: Salida Administrator, Drew Nelson  
Salida Mayor, P.T. Wood  
Salida Community Development Director, Glen VanNimwegen

Re: Support for Permanently Affordable Housing Project on East Crestone

Dear Esteemed Colleagues,

It has been a pleasure to serve the City of Salida and all of Chaffee County as the Director of the Office of Housing for the past two years, and I commend Salida's elected and appointed officials for the work you have done to increase the stock of affordable living units available to your residents.

As our community works together to navigate through the novel Coronavirus pandemic, it is becoming more apparent to many that housing insecurity in Chaffee County is very real, and that many of our residents are experiencing it for the first time – or for the first time in a long time. The Office of Housing and the Department of Human Services are seeing an increase in the number of requests for rent and deposit assistance, and advocates in the affordable housing industry are preparing to see a wave of relocations and evictions among low-income renters in the very near future. Therefore, the actions you are taking now to increase the availability of permanently affordable housing is more important than ever.

I applaud your creativity in identifying publicly owned locations where housing might be appropriate and seeking out partnerships to increase Salida's supply of permanently affordable housing. The City owned parcel on East Crestone Avenue near M Street would be very difficult to bring into productive use without the creative approach you are taking. The proposed

neighborhood improvements that could result from this plan, including eliminating confusing and unnecessary intersections and burying overhead powerlines, will benefit the entirety of the community. Those improvements will then allow the two city-owned parcels to be brought back into productive use, and through partnerships, will create permanently affordable housing.

One of the best features of Salida is it's inclusivity, and this location can be a prime example of integrating workforce housing into a rapidly increasing housing market. The homes that will potentially occupy that space will provide their residents with easy access to the Salida trail system, schools, grocery and other shopping, as well as the rich cultural environment downtown, while remaining permanently affordable.

The Office of Housing is poised to support this project in whatever capacity is appropriate, and I look forward to watching this collaboration unfold. I offer gratitude for the creative approach you are taking to encourage the creation of additional permanently affordable homes.

Respectfully,

Becky Gray  
Director of Housing, Chaffe County  
719-239-1398  
bgray@chaffeecounty.org



Bill Almquist <bill.almquist@cityofsalida.com>

---

## East Crestone Avenue

---

Ken Fouty <ckfouty@gmail.com>

Mon, Jun 22, 2020 at 2:57 PM

To: Bill Almquist <bill.almquist@cityofsalida.com>, dan.shore@salidaelected.com

Cc: NO Ecrestone <nocht.ecrestone@yahoo.com>

To the Board:

First let me express my dismay that the city would rather give away a piece of property versus letting an adjacent homeowner purchase it. I will remain mystified by why it was so hard for a private citizen to buy this lot. In addition I have never experienced having an elected official refuse to come hear citizen comments. (And I'm from a small town and attended meetings in that town when controversial items were discussed.)

I am saddened I am not able to attend as I would like to know my voice is heard.

Here are our concerns:

1. I am in favor of affordable housing that makes sense. I wholeheartedly support families having the security of their own space when it's. This project does not really have affordable land. The City of Salida (local taxpayers) is spending lots of money on a very small plot of land so that it's buildable. (what is final cost/square foot versus a typical city lot?).
2. These lots are NOT family friendly. (From 3rd Street to 291 , the only sidewalks are at 3rd and L.) So I cannot support based on safety alone.
3. I would support affordable housing on land donated by the city on the property that surrounds the golf course or other suitable sites around the city that don't call for major excavation and development at taxpayer expense to have them be buildable. We were given the impression earlier this year that multiple lots had been considered and 2 of those lots border the golf course. These would be easier to develop and safer. In addition, maybe those lots would allow yards since these lots won't have yards and minimal parking.
4. Since my backyard faces this property, I can state that East Crestone is a very busy two way street. The first week of June, on a weekday afternoon in a two hour span, 8 law enforcement vehicles used East Crestone and one EMS vehicle. This traffic is fairly typical.
5. East Crestone is used often and by many. In the current times, a proper usage rate cannot be determined. The locals, in my unofficial study, that I have asked use 3rd to East Crestone to Grant as the preferred route on their way to Highway 50. Losing East Crestone will increase traffic in and around the courthouse.
6. What improvements will be made to Crestone and Poncha Boulevard for the increased usage? Same question for L and Crestone? All costs to improve these intersections to account for increased traffic must be captured as part of the East Crestone costs so the taxpayers are aware of the full cost. Do any of the current courthouse traffic concerns take into account the East Crestone change and if not shouldn't it? Again, more cost for the taxpayers.

In summary, this appears to be the worst use for this land. Why can't that neighborhood utilize this as park land?

Sincerely,  
Catherine Kramer-Fouty

July 30, 2020

Dear Mayor and City Council Members:

I am writing in regard to the transfer of property at M and 3<sup>rd</sup> Streets to Chaffee Housing Trust (CHT). CHT has demonstrated its ability to provide attractive and functional housing, both for ownership and rent, at 50% to 80% AMI for residents in our community. I urge you to support this housing project.

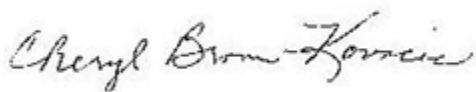
Although the City has provided funds to housing organizations and instituted policies to support a variety of housing types, this will be an action that directly results in a brick and mortar project in the city. CHT has been a reliable and valuable partner, demonstrating its ability to qualify applicants, assist with obtaining loans, find grants to cover down payments, raise funds that supplement pricing to ensure that it is at an acceptable level and construct housing within a reasonable amount of time. The previous CHT project at Two Rivers has been well received and after checking with Tom Pokorny, I can assure you that its implementation did not impact the market value for sale of lots in the subdivision nor the value of the houses in that development. Those living in CHT housing have been well received in the neighborhood and have added to the positive interactions of the housing association and the neighborhood community.

I have a great deal of respect for this CHT and its director, Read McCulloch. It is regretful that this process has resulted in efforts to tarnish the reputation of a person and organization of integrity. Mr. McCulloch has devoted years to providing housing for those unable to reach median housing prices in our county and has shown himself to be honest, honorable, and hard-working. I believe that CHT housing will add to the 3<sup>rd</sup> Street neighborhood, rather than detract from it, and that it will not devalue the property on the street. I also believe that the small number of CHT units will not impact the traffic on the street, most of which comes from using 3<sup>rd</sup> Street as an access route into the center of the city from Highway 291.

This project is one step in tackling the shortage of a variety of housing within Salida. We need many approaches to fill the gaps in housing for the many economic ranges that exist in the community. Housing needs have for many years been a priority and the Chaffee County Needs Assessment has shown that ensuring a variety of housing types is a critical step in meeting the needs of the community.

I urge you to follow through with this project and hope that many similar projects can come to fruition in the future.

Sincerely,



Dr. Cheryl Brown-Kovacic



Bill Almquist <bill.almquist@cityofsalida.com>

---

## Affordable housing

2 messages

---

christine@millcreekcolorado.com <christine@millcreekcolorado.com>  
To: "bill.almquist@cityofsalida.com" <bill.almquist@cityofsalida.com>

Tue, Aug 11, 2020 at 8:41 PM

Good afternoon,

I am writing this letter to address the importance of affordable housing in Chaffee County, a little background about me, I used to live in Coaldale 20+ years ago and I keep telling myself "I wish I would've bought in Salida then". Fast forward life happened, I left the area and recently came back a few years ago. I am now a single Mom, I have a great career/job with HRRMC, I've been working for my Doctor for almost 3 years and make decent money, I love living in a small community to raise my child, but the cost to live here is insane. Unfortunately if people continue to come here and purchase for asking prices and above, the market will always be out of reach for people like me that make this community thrive. Having this opportunity to purchase a home for my child and I was a proud moment, it was affordable, my mortgage is less than rent, "this is home". One term I would like to use is "stability", for me it is the worst feeling paying rent not knowing if I will be there long term or if I will have to find another place to rent, moving from home to home is not stable, my child doesn't feel secure, not sure when you may have to move again and again, the ability to purchase this home gave my child and I stability!!! It is so important to continue providing affordable housing for those of us who are part of the community who don't have the means to purchase a home here due to the market.

Please note I support for the Council to vacate the section of E. Crestone Ave adjacent to Third Street.

Thank you for your time,

Christine Engle  
[christine@millcreekcolorado.com](mailto:christine@millcreekcolorado.com)

---

christine@millcreekcolorado.com <christine@millcreekcolorado.com>  
To: "bill.almquist@cityofsalida.com" <bill.almquist@cityofsalida.com>

Tue, Aug 11, 2020 at 8:54 PM

Please forgive me, I did not introduce myself on my prior email. I purchased a home at 2 Rivers last year, thanks to Chaffee County Housing. I was tired of paying rent and wanted to purchase in Salida, but couldn't afford the homes here. I have been in my home for a little over a year, I am a proud homeowner and truly grateful for the assistance from Read McCulloch and Chaffee County Housing, could not have done it without them. My only option was struggle to pay rent or quit my job in health care and move away, affordable housing is crucial.

Christine Engle  
[christine@millcreekcolorado.com](mailto:christine@millcreekcolorado.com)



---

## E. Crestone public hearing comments

---

David Martin <dakotaw2k1@yahoo.com>

Wed, Jun 17, 2020 at 8:08 AM

To: Bill Almquist <bill.almquist@cityofsalida.com>

The city of Salida and Chaffee Housing Trust (CHT) are moving forward with their development plans of donating land to CHT (intersection of Third Street and East Crestone Avenue), vacating a section of East Crestone Avenue. The plan includes:

- Donating the land (section of East Crestone, section of M Street, and the two triangles of land) to CHT.
- Removing a section of the existing avenue (East Crestone Avenue, recently paved with new asphalt and street gutters – wasted taxpayer money).
- Creating one-way traffic flow on East Crestone and M Street (this will be Salida's only one-way street), which will end two-way access to homes on East Crestone Avenue and the Mesa.
- Reworking a section of West Third Street.
- Reworking M Street.
- Reworking East Crestone with a cul-de-sac (which will become a parking lot for the six proposed affordable/low-income units) on the newly vacated section of land that the city of Salida plans to donate to CHT.

CHT will also get reduced water tap fees, as per Salida's Planning Commission (Bill Almquist).

Estimate of what is being donated by the city of Salida to CHT for affordable homes at the East Crestone Avenue development site:

1. The land: \$350,000.
2. Street rework: \$150,000.
3. Reduced new water tap fees (normally \$17,000 per tap) for six units: \$51,000.
4. Moving of power lines: \$25,000.
5. The survey/platting of the land: \$3,000.
6. Time and labor of city of Salida Planning Commission, Public Works and street departments, bidding of the street rework, meetings, etc.: \$30,000.
7. Rezoning: \$10,000.
8. Sidewalks: \$20,000.

9. Property/building inspections: \$5,000.

Estimate of donation/giveaway: \$644,000.

Wow! This project is labeled as “affordable housing.” Affordable for whom? It’s affordable for the six lucky families (chosen by CHT) that will get to live there and receive assistance if they can’t make their house note. It becomes “affordable housing” because of the six-figure dollar donations.

I challenge City Treasurer Merrell Bergin to run the numbers and publish what the estimated dollar amounts are of this project and the current expenditures to current date.

CHT should withdraw their application to vacate and rezone East Crestone and West Third Street for “affordable housing.” The inclusionary ordinance provides for affordable housing in new developments and subdivisions.

And as a safety issue: West Third street is already a busy road. Don’t introduce 50 trips per day by the estimated 20 residents, six units and additional 12 cars onto this road.



Bill Almquist <bill.almquist@cityofsalida.com>

---

## E. Crestone public hearing comments, cont'd

---

David Martin <dakotaw2k1@yahoo.com>

Wed, Jun 17, 2020 at 8:12 AM

To: Bill Almquist <bill.almquist@cityofsalida.com>

The city needs to answer/address the concerns of Nancy:

CHT, council owe explanation

May 20, 2020

Dear Editor:

In an April 9 letter, Willie Dominguez made a bold claim: Chaffee Housing Trust (CHT) built eight “affordable” units in the Two Rivers complex which were supposed to sell for \$170,000, but actually sold for \$266,800.

If true, this is a scandal. CHT made a deal with the developer and Salida officials. In lieu of building affordable housing themselves, the developer would deed this property to CHT to build affordable housing. Were these units then sold at market value, not as “affordable”? What is the truth?

In an Oct. 26, 2018, Ark Valley Voice article, CHT Executive Director Read McCulloch said this project is important because it’s the first time a project like this has been created in rural Colorado. These units will be built and offered at 80 percent area median income – making home ownership possible for first-time homebuyers. “That means we have gotten concessions so that the homebuyer cost will be \$170,000.” So, the promised \$170,000 price tag claim is true.

What about the sale price? A check of the Chaffee County assessor’s website shows six of the eight units sold between April 12, 2019, and May 30, 2019, for \$266,800. (The other two were transferred to ownership of “Read McCulloch-director.” Are they rentals?) Between the Oct. 26, 2018, statements by McCulloch and the first sale six months later, the sale price increased an astounding \$96,800 per unit.

Where is enforcement from the city of Salida? Was there any language in the contract forcing CHT to sell at the promised \$170K? Was it known the sale price would be promised at \$170K, then jacked up to \$266K just months later? Where did all that extra money go?

It might be a coincidence, but in the May 1 Mountain Mail McCulloch is quoted discussing the current city of Salida plan to give CHT land at Third and Crestone to build five “affordable units”:

“He said development homebuyers’ current unit prices are around \$180,000. They were \$170,000 in 2019 and by the time construction possibly begins in 2021, prices could be as high as \$190,000, but they do not know yet.” Huh! He is still saying prices for his units were \$170K in 2019, even though this proved to be false.

CHT and Salida city government first promised us sun, moon and stars with the Salida Crossings development. After an expensive special election in September 2018, Salida Crossings was never built – and no one has ever explained why. The city and Mountain Mail have avoided this story like the proverbial plague.

The Two Rivers “affordable” units were sold at 157 percent of the promised price.

Now we’re supposed to trust CHT with free land at Third and Crestone?

It appears to me Chaffee Housing Trust operates less like a nonprofit and more like a development company. The only difference is the seed money and land are donated by taxpayers, and CHT reaps the reward. Both CHT and Salida City Council owe a thorough explanation.

Nancy Dominick,

Salida

Sent from [Mail](#) for Windows 10



Bill Almquist <bill.almquist@cityofsalida.com>

---

## More E. Crestone public hearing comments

---

David Martin <dakotaw2k1@yahoo.com>

Wed, Jun 17, 2020 at 8:33 AM

To: Bill Almquist <bill.almquist@cityofsalida.com>

The following needs to be made available to all parties participating in any E. Crestone hearings/meetings to ensure a fair and just decision is attained:

1. Any and all prior records of any and all costs associated with street repairs, roadwork, roadwork engineering, including any repaving for East Crestone Avenue within the last five years.
2. Any and all records, communications, reports, studies, related to landslide hazard, land slump, and appropriate mitigation of landslide and land slump hazards, and any and all associated cost of mitigation including but not limited to geotechnical studies, hazard insurance, retaining walls, etc.
3. Any and all cost projections associated with the leveling of the proposed site at East Crestone and West Third Street to create a level building site.
4. Any cost projections, estimates, communications, or other information related to construction of a retaining wall related to the proposed project at East Crestone and West Third Street. Any and all communications, reports, or other information related to obtaining hazard insurance to protect any and all structures from landslides or slump.
5. Copy of any geotechnical study of the proposed site at East Crestone and West Third Street, or any and all communications related to the stability or instability of the proposed site, and the need for a geotechnical study prior to any and all construction.
6. Any and all records of any vehicle or pedestrian accidents at or near the the proposed site at East Crestone and West Third Street. Any and all traffic studies, communications, reports, or other records describing or detailing pedestrian or vehicle accidents at or near the the proposed site at East Crestone and West Third Street or concerns related to the safety of this location.

7: Any and all records communicating with Chaffee County Sheriff department regarding traffic changes / impacts to East Crestone & West 3rd Street this housing project could impact.

8: Any and all records regarding wildlife studies.

9: Any and all records regarding why prior attempts by the City of Salida to develop this property was

terminated or abandoned.

10: All real costs a private citizen would pay for utilities to develop a residential site. (not reduced developer costs such as discounted water tap fees, Excel energy single source franchise fees, etc..).

11: Were any other potential developers of this project considered ?

12: Were other property offers to purchase this site considered current timeframe and through previous years ?

13: Labor hours/cost of all City personnel and costs incurred by the city including attorney fees, surveys, etc associated with the E. Crestone project.



Bill Almquist <bill.almquist@cityofsalida.com>

---

## NO To East Crestone Vacation and CHT

---

John Strom <stromco@att.net>

Mon, Jun 22, 2020 at 9:15 AM

To: "bill.almquist@cityofsalida.com" <bill.almquist@cityofsalida.com>

Dear Bill,

Just say NO to the East Crestone proposal.

This is an important matter. The decision affects all of us. It needs to be voted on by all of the citizens of Salida. This decision should be made by referendum not by just a few.

This is red-lining at its worst by and for special interests.

Thank you for your consideration.

Best regards,

Dellann Strom  
146 Mesa Circle

*Earl Allen Pfeiffer*  
*457 Shannon Road*  
*Totopaxi, CO 81223*  
719-275-1021 ~ [Earlbuildshomes@aol.com](mailto:Earlbuildshomes@aol.com)

August 11, 2020

Salida City Commission  
Salida Colorado

**RE: Vacation of East Crestone Avenue R.O.W.  
Attainable Housing Development**

Greetings,

I am a retired affordable housing professional having constructed over 1,000 single family homes, townhomes and apartments for the past 30 years. These homes were made available to clients under 80% of the area Median Income. My last tenure was Executive Director of Florida Home Partnership for 20 years. Please see attached letter of introduction from the USDA, Rural Development office. I am loosely affiliated as volunteer with Chaffee Housing Trust (CHT) providing them with guidance and consultation.

The secret to my success for 30 years has been developing effective partnerships with the communities I worked and developed in. Typically, it takes many layers of subsidies and other considerations to make housing truly affordable for low to moderate income households. Unfortunately, as time goes on, these partnerships and subsidies become more necessary as construction, land and other costs continue to escalate.

I have utilized municipal jurisdictions in partnerships very successfully for 30 years. Jurisdictions can provide reduced impact and permit fees, density bonuses and relaxed development guidelines for attainable, affordable workforce housing in addition to funding considerations and pass through federal funds to make housing truly more affordable. In-kind land contributions are also a very effective tool.

NIMBY'ism is an ugly part of almost every affordable housing development I have been associated with, until the Developer is recognized for the good work they accomplish. Salida is certainly no exception. Housing for educators, construction and trades workers, first responders, medical workers and service/tourism industry is in short supply not only in Salida, but throughout our region.

Without attainable housing, business and communities lose their abilities to compete and remain competitive. Affordable workforce housing is in the public good. CHT has developed an attractive collection of designs which will ultimately help to defer NIMBY attitudes of the community. CHT also works with their clients to educate them on how to be good homeowners and integrate seamlessly into the community. This is an effective strategy that helps workforce homebuyers become contributing, integral members of the community over time.

Attainable housing is very much developed through in-fill projects where building lots are in short supply. The Crestone Avenue site appears well suited for a partnership like the proposed one. Land Use Restrictive Agreements (LURAs) are often used in public-private partnerships when public land or funds are utilized.

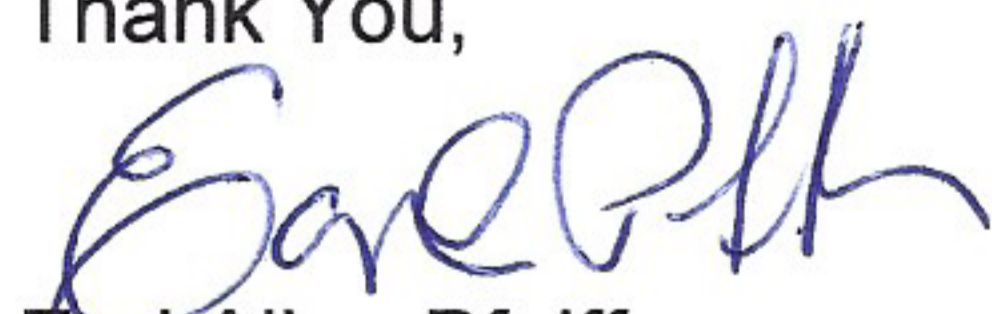
I have watched the last few months as news reports in the Mountain Mail have detailed public commentary on the proposed Crestone Avenue project. Often a PR campaign of sorts is needed to assure residents that their fears are valid, but unwarranted. It is unfortunate that conceptions of affordable and attainable housing conjure up many unfounded fears.

Finally, the Community Land Trust model utilized by CHT is a unique tool for attainable housing in high costs communities such as Salida. CHT owns the land, which provides an intermediary in the process. If a LURA is utilized to control the parcel at acquisition by CHT, the City can stipulate standards that must be adhered to in the construction, use, occupancy and maintenance of the project to give city officials and residents a higher level of confidence.

I support this development and ask you to consider this partnership with the Chaffee Housing Trust. Every successful housing partnership begins with a good building lot. A good building lot in an established functioning neighborhood increases the chance of success and provides for an outstanding opportunity for a low-income household to become established in the fabric of a solid neighborhood and community.

Should you have any question, please feel free to contact me.

Thank You,



Earl Allen Pfeiffer

R.E. Broker-Home Builder



Rural Development

March 30, 2018

Florida/Virgin Islands  
Single Family  
Program

4440 NW 25<sup>th</sup> Place  
PO Box 147010  
Gainesville, FL 32614

Voice 352.338.3402  
Fax 352.338.3490

TO: Whom it May Concern

RE: Letter of Introduction, Earl Allen Pfeiffer  
Housing Partner, Home Builder, Land Developer

Hello:

By way of written notice, I would like to introduce Earl Pfeiffer, the former Executive Director of Florida Home Partnership from October 20, 1997 until his retirement on March 30, 2018. I have worked closely with Earl during his tenure as Executive Director of his agency in a partnership with USDA, Rural Development to construct self-help homes for over 850 low to moderate income families. In addition, Earl and his team of 23 employees have developed over 1,000 single family building lots in 10 different subdivisions.

During his tenure, Earl procured over \$15,000,000 in operational administrative grants. Also, to his credit, his agency has underwritten and packaged over \$70,000,000 USDA Section 502 mortgage loans to go along with over \$20,000,000 in down payment assistance loans for his clients. Earl and his agency have received millions of dollars in HOME and CDBG funds for community development projects in addition to a \$2,900,000 site development loan from USDA.

For twenty years, Earl ran a very efficient organization. As a major program sponsor for his organization, I have personally received very few legitimate concerns from homeowners, as Earl works to assure that any and all legitimate concerns are resolved rapidly in due process.

Each year, I have reviewed FHP's annual audit. Over twenty years, no issues have arisen that would cause concern for our agency. With annual expenditures around \$5,000,000-\$7,000,000 USDA has been very pleased with the financial integrity of the agency.

Earl Pfeiffer is a great housing professional and partner. He is a licensed contractor, real estate broker and a land developer. He works well with government agencies and has been extremely successful leveraging financial and community resources. Should you have any questions regarding his qualifications, you may contact me.

Sincerely,

DARYL L. COOPER  
Single Family Housing Program Director

USDA is an equal opportunity provider and employer.

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at [program.intake@usda.gov](mailto:program.intake@usda.gov).

May 18, 2020

Salida Mayor and City Council members:

Recent arguments related to the proposed affordable housing units located at Crestone and 3rd Streets have motivated me to share my perspective. Salidans have loudly voiced concerns about the need for housing for our teachers, medical support staff, firemen, cooks, waitresses, &..... The financial gulf between the rich and poor has widened, leaving many who now serve us on a daily basis with but one choice — to live miles from Salida where they are employed.

Salidans, we must not lose our blend of citizens — living next door to one another. This highly respected virtue is one of the most attractive traditions that Salida has cherished for generations. If we want to continue to enjoy the community spirit that makes Salida so attractive, we must share the space that is available with those who need it the most. All of us, citizens and tourists alike, demand services that require low wage employees who, unfortunately, cannot afford to live in “their” town.

When studying the city map, I smile at the peculiar design that has resulted from our forefathers decisions. There are numbered & lettered streets going east/west & north/south Then there are assorted named streets that create abrupt angles, abutting the original ones. These intersections create interesting street junctures. Traversing the maze when multiple cars appear is challenging.

For safety reasons City Council and the Departments of Public Works and Police have redesigned a few of those intersections (Examples: along Teller at 5th/Park & 6th/C/Dodge). More “triangles” exist across our city, creating unnecessary traffic as well as snow-plowing problems. I consider these triangular footprints wasted use of space & encourage City Council to consider using more of the “triangles” for small affordable housing projects.

When I first heard of the possibility of redesigning the Crestone/3rd Street intersection, I was delighted. There is very little space left within Salida’s perimeter for housing development. This particular location is near downtown providing potential owners the opportunity to walk and/or bike to & from work so they don’t need duplicate vehicles.

Some citizens complain that the “city” has done little to meet our housing crisis. Now that they are considering assisting Chaffee Housing Trust with this project, citizens complain that the cost is coming out of their pockets. I must remind all of you that NO Salida citizen pays property taxes to support the Salida city government.

Sales tax is the only portion that goes directly to running Salida. That means that every person who spends money in Salida — Chaffee County citizens AND tourists — pay the exact same portion that Salida citizens pay to pave & plow our streets, maintain our parks & sidewalks, etc..... How privileged Salidans are to have all those folks contributing to the support of our city.

Older generations sometimes have a preoccupation with property rights at the expense of human rights. We will be remembered by how we treat one another while we are on this planet, not by what we accumulate nor the view from the property we own.

Eileen Rogers  
Salida Citizen  
1010 F Street  
539-4040



Bill Almquist <bill.almquist@cityofsalida.com>

---

## Fwd: July 7th City Council E. Crestone 1st reading

---

Erin Kelley <erin.kelley@cityofsalida.com>

Sun, Jul 5, 2020 at 9:29 PM

To: Bill Almquist <bill.almquist@cityofsalida.com>, Glen Van Nimwegen <Glen.VanNimwegen@cityofsalida.com>, Kristi Jefferson <kristi.jefferson@cityofsalida.com>

FYI

----- Forwarded message -----

From: **Erin Kelley** <erin.kelley@cityofsalida.com>

Date: Sun, Jul 5, 2020 at 9:29 PM

Subject: Re: July 7th City Council E. Crestone 1st reading

To: Gregory Smith <gsmith@cruzio.com>

Hi Gregory,

Thanks for your email. I'll make sure it's part of public comment record for Tuesday's meeting.

Erin

On Sun, Jul 5, 2020 at 3:37 PM Gregory Smith <gsmith@cruzio.com> wrote:

Erin,

Is it possible to comment on the E. Crestone issue here?

Having followed the ongoing comments concerning the changes to the end section of East Crestone Avenue I would like to add my own concerns. These concerns are not with the city supporting low cost housing, but it is with the transfer of developed and actively used city property (a city street) to private ownership. There may be certain instances where this might be beneficial to the city, but I don't see it in this specific instance. To give away city property that is actively used and has public utilities (sewer) in the street (that are now proposed to be moved) to private ownership is just counter to good planning. Using the criteria for East Crestone Avenue, there is no reason that any city park or other actively used public property or street cannot be transferred to private ownership under the cover of providing low cost housing. For example, one could see similar arguments to give away part of Marvin Park, Centennial Park, or Alpine Park and transfer it to private ownership. This will establish the wrong precedent.

On the other hand, the single parcel that the city owns next to East Crestone Avenue that is being rezoned is an example of the type of "undeveloped" city owned property that could be transferred to private ownership for the purposes of providing low cost housing without giving away public and actively used property. Chaffee Housing Trust who is the private developer, has convinced the City that they need more property to build more units and should hand over East Crestone Avenue, a public street, for their purposes and has convinced City planning staff to actively promote and rationalize this transfer. As admitted by City Staff and Chaffee Housing Trust they did not even look at this possibility, but went directly to trying to leverage the City into providing more land for their idea of a development.

*Gregory Smith*

*20 Trailside Circle*

*Salida, Colorado 81201*

*(831) 247-2219*

*[gsmith@cruzio.com](mailto:gsmith@cruzio.com)*

--  
Sent from Gmail Mobile

--  
Sent from Gmail Mobile

----- Forwarded message -----

From: **Jane Ewing** <janeewing42@gmail.com>

Date: Fri, Mar 13, 2020 at 1:53 PM

Subject: West Third Street Neighborhood. Please forward to Bill Almquist.

To: <dan.shore@salidaelected.com>, <jane.templeton@salidaelected.com>, <justin.critelli@salidaelected.com>, <mike.pollock@salidaelected.com>, <harald.kasper@salidaelected.com>, <alisa.pappenfort@salidaelected.com>

## West Third Street and East Crestone Avenue

### Chaffee Land Trust Project

Jane Ewing 718 West Third Street Unit A

The construction of residential units on city owned property near the busy intersection on either side of East Crestone Avenue and West Third Street will result in a traffic safety issue. My concern, beyond that of the fiscal responsibility for the city to revamp streets and property, is safety.

The corridor of West Third Street and Crestone Avenue is used extensively by vehicles, pedestrians, and cyclists. This traffic is impacted by cars, vans, and trucks that are parked along the edge of the throughway. That added congestion is compounded by delivery trucks that daily weave around the parked vehicles, pause to leave mail and packages, and reenter the street. County sheriff cars travel this corridor, as well. There are no sidewalks nor is there a bike path here. This area is not a typical neighborhood, where homes often have single or double car garages, added parking spaces in driveways, and sidewalks to accommodate pedestrians. A traffic survey may reveal that the traffic is not heavy enough to cause a concern. The tally, though, does not consider the additional use I noted above. My understanding is that the proposed new units may or may not have even a single car garage or a driveway wide enough for a second vehicle. If there are five units, we can expect that each active resident would have one or two

vehicles that will leave and arrive multiple times each day onto and from the already well-used streets.

My issue with the planned development is the location and the impact it will cause by reconfiguring the land. Added vehicles here will raise the potential for accidents in this already chaotic traffic area. I send this notice as an alert, a caution, and a protest.

June 2020

Jane Ewing 718 W 3<sup>rd</sup> Street Unit A

West 3<sup>rd</sup> Street and East Crestone Avenue

When I see the parcel of land under consideration by the Chaffee Housing Trust (CHT) for reconfiguration to build affordable housing, it concerns me the number of added residents who would access W 3<sup>rd</sup> Street from their driveways. W 3<sup>rd</sup> Street is a thoroughfare already dangerously busy. My fear is not only for those who already travel on W 3<sup>rd</sup> Street, but for the future residents who will have no other way to leave home than to back directly onto the street. The CHT's plans that have been publicly shared reveal that there is inadequate, or at best minimal space, for a driveway or place to park one's car. I wonder if the CHT is taking into consideration the risk they will place on travelers using W 3<sup>rd</sup> Street, people who live on that street, and the future residents who will be housed in the planned units.

Editor, Mountain Mail     June, 2020

West 3<sup>rd</sup> Street and East Crestone Avenue

I write to question the wisdom of the City Council's and Planning Department's consideration of giving away land in the 700 block of West Third Street to the Chaffee Housing Trust (CHT). If that happens, not only would the city of Salida accrue a large financial obligation by having to alter land, close a street, and relocate utilities, but it would allow the CHT to construct housing units that would exacerbate the already dangerous traffic flow along West 3<sup>rd</sup> Street, East Crestone, and M Streets. Should the City Council and Planning Department continue to pursue giving away the land in question to the CHT, I ask that they publicly list in detail the city's financial obligations to do so and their traffic study report.

Jane Ewing     718 West 3<sup>rd</sup> Street Unit A

Editor, Mountain Mail     June, 2020

West Third Street and East Crestone Avenue

The construction of residential units on city owned property near the busy intersection on either side of East Crestone Avenue and West Third Street will result in a traffic safety issue. My concern, beyond that of the fiscal responsibility for the city to revamp streets and property, is safety.

The corridor of West Third Street and Crestone Avenue is used extensively by vehicles, pedestrians, and cyclists. This traffic is impacted by cars, vans, and trucks that are parked along the edge of the throughway. That added congestion is compounded by delivery trucks that daily weave around the parked vehicles, pause to leave mail and packages, and reenter the street. County sheriff cars travel this corridor, as well. There are no sidewalks nor is there a bike path here. This area is not a typical neighborhood, where homes often have single or double car garages, added parking spaces in driveways, and sidewalks to accommodate pedestrians. A traffic survey may reveal that the traffic is not heavy enough to cause a concern. The tally, though, does not consider the additional use I noted above. My understanding is that the proposed new units may or may not have even a single car garage or a driveway wide enough for a second vehicle. If there are five units, we can expect that each active resident would have one or two vehicles that will leave and arrive multiple times each day onto and from the already well-used streets.

My issue with the planned development is the location and the impact it will cause by reconfiguring the land. Added vehicles here will raise the potential for accidents in this already chaotic traffic area. I send this as an alert, a caution, and a protest.

Jane Ewing     718 West Third Street Unit A



Bill Almquist <bill.almquist@cityofsalida.com>

---

## Building on crestone Ave

1 message

---

**Jessica Mazzucca** <jesshibbs44@yahoo.com>

Wed, Jun 10, 2020 at 11:03 AM

To: bill.almquist@cityofsalida.com

I cannot attend the meetings because I have children and my husband is out of town working but I am submitting my email opposing this project. it would be one thing if it was one or two homes but the fact that you want to shove six homes into such a small area is absolutely ridiculous. You have to realize that there is a home at the end of this hill that is going to be substantially smothered by this. I live three houses up from the bottom of the hill and I cannot fathom the idea of looking down the hill and having it blocked my view with six homes shoved into a small area. While I realize that our town is growing and we need affordable housing maybe we should consider the market as a whole and look at how expensive the smallest of homes are being sold for. Then maybe people can actually afford homes and not have to have small tiny homes shoved in one area. There is plenty of land in our town and county where these can be built elsewhere . You already have an extreme speeding issue in this town especially going up and down the hill and if there was a cul-de-sac at the end I only see it getting worse. Will any of the town cops sit at the end of the cul-de-sac and watch for speeding, I highly doubt it. Not to mention it's kind of seems like an artery road for many people- has the fire department been asked if they use this road during emergencies? And what it will affect if gone?? Or the other homes that sit directly on Crestone Avenue by the courthouse if there was an emergency then you only have one access route which is the front of the home instead of being able to access the back of the home. Because you're shoving six small houses into one are???. We are a very smart and bright community but this proposal is absolutely One of the worst ideas that our community has come up with. Please feel free to email me back or contact me via phone 719-239-0306.

Jessica Mazzucca

Sent from my iPhone



---

## letter to P&Z

---

**karen karnuta** <karenkarnuta@gmail.com>  
To: Bill Almquist <bill.almquist@cityofsalida.com>

Thu, Apr 23, 2020 at 11:02 AM

Please get this to P&Z.  
Karen

Karen Karnuta  
(Owner) 750 W 3rd Street

To The Salida Planning Commission.

I am one of the closest neighbors, the front door of my property faces Third Street directly across from the vacant triangle of land.

I think this project will impact the neighborhood, and I think the density is high for the neighborhood. However, I support this project.

I read a letter in the paper that said it will be "only" five houses. While five units is a drop in the bucket for what our city needs, to the five families who will live there it means everything.

I know families who live in the Habitat houses, and families who live in the Housing Trust project in Two Rivers. The security, safety and comfort to these families makes all the difference. These families no longer have to worry about their rent going up, or having to move when their rental house is sold. Things many of us take for granted.

Because of the difference secure housing will make in these families lives, I support this project though I believe it is not a perfect project.

Karen Karnuta



---

## another q on the crestone project

---

**karen karnuta** <karenkarnuta@gmail.com>  
To: Bill Almquist <bill.almquist@cityofsalida.com>

Thu, Apr 23, 2020 at 5:34 PM

thanks for passing that on. I am asking you to also give this letter stating the same thing to the P&Z board. The main thing is the testing, they may not need to be engineered depending on the results. As a builder in this neighborhood, I have a fair bit of experience with this sand and I would hate to see the foundations crack.  
Thanks for your time answering all my questions today!

To the Salida Planning Commission --

This project will be a better built project if the soils are tested, and foundations engineered if required by the test results. As this is not a city requirement, I recommend it is added to the project approval as a requirement.

If you look at the house I own, 750 W 3rd, the foundation is good and the house has not moved in over a hundred years. If you look across M Street to the house on the other corner, that house has had significant movement and the foundation is cracked and the house (I have been inside) is more than 12" out of level. The two houses are about 80 feet apart and were likely built in a similar time period.

The sand underlying the project is very variable in its ability to support the weight of a house. It is quite different from the cobble (rocks and sand) that underly most of the construction in town.

Karen Karnuta

[Quoted text hidden]



Bill Almquist <bill.almquist@cityofsalida.com>

---

## letter for City Council re: Crestone housing project

---

karen karnuta <karenkarnuta@gmail.com>  
To: Bill Almquist <bill.almquist@cityofsalida.com>

Wed, Aug 12, 2020 at 4:15 PM

Please get this to City Council, and I will be attending via zoom.  
Karen

Karen Karnuta  
(Owner) 750 W 3rd Street

To The Salida City Council:

**I am one of the closest neighbors**, the front door of my property faces Third Street directly across from the vacant triangle of land.

Before I saw the design concept for this project, I thought it would impact this neighborhood. Now that I have seen the design of the houses, I think it will fit perfectly in the neighborhood and will look like it has always been there.

The design of having two large-ish, but smaller than the next door, duplexes, then two or three houses, will integrate well into the neighborhood.

I was surprised and disappointed to see that both a husband and wife, who purchased a brand new house across from the planned project, both spoke against this project at P&Z. They have lived here four months and think that the city won't change from the (very recent) day they bought their brand new house. While the Dominguez' concerns are more valid, having lived here for a long time having no neighbors across M Street, I don't think their concerns of having neighbors across an existing street should turn into a veto on this project.

I read a letter in the paper that said it will be "only" five houses. While five units is a drop in the bucket for what our city needs, to the five families who will live there it means everything.

I know families who live in the Habitat houses, and families who live in the Housing Trust project in Two Rivers. The security, safety and comfort to these families makes all

the difference. These families no longer have to worry about their rent going up, or having to move when their rental house is sold. Things that many of us take for granted.

Because of the difference secure housing will make in these families lives, I support this project.

Karen Karnuta

## SUPPORT THE AFFORDABLE HOUSING PROJECT AT 3<sup>RD</sup> AND M STREET IN SALIDA

Repeatedly, the citizens of Salida indicated in surveys that affordable housing is the #1 issue facing our community - not even close with any other issue raised in these surveys.

Findings of Housing Needs Assessment (2016), conducted at the request of Chaffee County, Salida, Poncha Springs, and BV, outline the monumental task in creating affordable housing. This assessment's findings are: 2,426 dwellings are needed, between the 60 – 120% area median income (AMI) to meet the current need. 889 dwellings in this same AMI range are needed to meet the future growth needs.

Understanding the need and hearing its citizens' housing concerns, Salida committed to assisting in the development of affordable housing. After considering all City-owned property, Salida determined that the property at 3<sup>rd</sup> and M Streets is the best location now for affordable housing construction. Part of this decision is based on the fact that this land is deemed not useable by the City of Salida for another purpose.

The Chaffee Housing Trust has been determined by the Salida as a good partner for the construction of affordable housing at 3<sup>rd</sup> and M. The CHT is a proven developer of affordable housing, having constructed the Old Stage Road Rowhouses (6 units sold and 2 units rented to Salida citizens at under 65% AMI). This project was done in partnership with Natural Habitats in the Two Rivers development, as part of Salida's inclusionary housing ordinance.

The CHT also partnered with Fading West, developer of The Farm community in Buena Vista, to purchase 7 dwellings, find qualified lower income buyers, support these buyers in becoming qualified for financing, and assisting them in closing. Currently, 3 buyers have closed on their new homes in The Farm. Another will close in June, 2020. Four other units will close to buyers between June and October, 2020. The mean AMI for these homes is 70%.

In all of the above instances, the CHT obtained grants for down payment assistance, assuring that these homes were made available at below-market prices and affordable to lower income buyers. Grants acquired by CHT to provide down-payment assistance to date have totaled \$230,000. All of these homes are legally protected, permanently-affordable homes in perpetuity to future buyers in the same AMI as the original buyers.

Who are the buyers/renters of these CHT-assisted affordable homes?

In Salida:

- construction worker for a local builder
- 12-year middle school teacher with family
- employee of Pure Greens
- emergency room hospital employee
- single-mom-employee of a local manufacturer with family
- local medical office administrator
- Columbine Manor employee
- Essential grocery store worker

In BV:

- first-year elementary school teacher
- Colorado Kayak Supply retail employee (closing in June)
- BV lumber yard employee
- BV Town employee.

The affordable housing at 3<sup>rd</sup> & M is in keeping with Salida's longtime tradition of diverse neighborhoods. I urge citizens to support this project.

Ken Matthews, Vice-President, Chaffee Housing Trust

## SUPPORT THE AFFORDABLE HOUSING PROJECT AT 3<sup>RD</sup> AND M STREET IN SALIDA

Repeatedly, the citizens of Salida indicated in surveys that affordable housing is the #1 issue facing our community - not even close with any other issue raised in these surveys.

Findings of Housing Needs Assessment (2016), conducted at the request of Chaffee County, Salida, Poncha Springs, and BV, outline the monumental task in creating affordable housing. This assessment's findings are: 2,426 dwellings are needed, between the 60 – 120% area median income (AMI) to meet the current need. 889 dwellings in this same AMI range are needed to meet the future growth needs.

Understanding the need and hearing its citizens' housing concerns, Salida committed to assisting in the development of affordable housing. After considering all City-owned property, Salida determined that the property at 3<sup>rd</sup> and M Streets is the best location now for affordable housing construction. As I understand, part of this decision is based on the fact that this land is deemed not useable by the City of Salida for another purpose.

The Chaffee Housing Trust has been determined by the Salida as a good partner for the construction of affordable housing at 3<sup>rd</sup> and M. The CHT is a proven developer of affordable housing, having constructed the Old Stage Road Rowhouses (6 units sold and 2 units rented to Salida citizens at under 65% AMI). This project was done in partnership with Natural Habitats in the Two Rivers development, as part of the approval process for Two Rivers.

The CHT also partnered with Fading West, developer of The Farm community in Buena Vista, to purchase 7 dwellings, find qualified lower income buyers, support these buyers in becoming qualified for financing, and assisting them in closing. Currently, 3 buyers have closed on their new homes in The Farm. Another will close in June, 2020. Four other units will close to buyers between June and October, 2020. The mean AMI for these homes is 70%.

In all of the above instances, the CHT obtained grants for down payment assistance, assuring that these homes were made available at below-market prices and affordable to lower income buyers. Grants acquired by CHT to provide down-payment assistance to date have totaled \$230,000. All of these homes are legally protected, permanently-affordable homes in perpetuity to future buyers in the same AMI as the original buyers.

It is important to note that some owners in the surrounding neighborhood support this project. Some neighbors of the proposed project at 3<sup>rd</sup> & M are objecting to this development, alleging a myriad of issues that will affect them, for example:

- Traffic safety. Part of this objection claims that the vacation of the lower part of E. Crestone will create danger. I maintain the opposite. Eliminating this portion of E. Crestone, which intersects with 3<sup>rd</sup> Street at a very acute angle enhances safety. Having a controlled intersection at 3<sup>rd</sup> & M (perhaps a 4-way stop) makes this intersection safer and slows down traffic from HWY 291 to Salida's commercial district.
- Vacation of this portion of E. Crestone in some way violates historical preservation of a long-abandoned coach line through Salida. This fairy tale has been debunked by historical experts in Salida.
- Property values will be damaged. Studies by many sources have not found a correlation between the insertion of affordable housing into a stable, mixed income neighborhood such as

the one near 3rd & M. Some studies have shown that such affordable housing projects that inject some diversity into such neighborhoods have positive effects on property values. I am happy to provide references to these studies, if Council or the Planning Commission desires.

Sadly, it appears to me that much of the ranting and raving from those objecting are simply attempting to use acceptable language to voice an unacceptable objection - we don't want "those" people in "our" neighborhood.

Who are "those" people? Here is who they are, based on other CHT project owners/renters:

In Salida:

- construction worker for a local builder
- 12-year middle school teacher with family
- employee of Pure Greens
- emergency room hospital employee
- single-mom-employee of a local manufacturer with family
- local medical office administrator
- Columbine Manor employee
- Essential grocery store worker

In BV:

- first-year elementary school teacher
- Colorado Kayak Supply retail employee (closing in June)
- BV lumber yard employee
- BV Town employee.

The affordable housing at 3<sup>rd</sup> & M is in keeping with Salida's longtime tradition of diverse neighborhoods. I urge citizens to support this project.

Ken Matthews

Vice-President, Chaffee Housing Trust



Public Comment &lt;publiccomment@cityofsalida.com&gt;

## 6/22/20 P&Z meeting

1 message

**melanie cymansky** <mcymansky@outlook.com>

Mon, Jun 22, 2020 at 11:56 AM

To: "publiccomment@cityofsalida.com" <publiccomment@cityofsalida.com>

Planning Commission Meeting - 6/22/2020

Good Evening Planning Commission Members:

First, your review of CHT's request should be postponed until a full and open meeting can be done with all in-person public comments. To continue with this discussion now would appear to the public that this process is being deliberately non-transparent. This request and all future requests on this should be tabled until all voices can be heard in public meeting (not virtual) for this controversial location.

Second, I am pro-affordable housing: Two Rivers and the to-be-built affordable rental units at Confluence Park are good examples. This property is just not the right place to do CHT's project: it's too small, it's in an unsafe area for children, it will cause Crestone Ave. to have additional traffic at Park, and there have to be too many modifications (street closures and removing part of a hillside). There are at least 3 other parcels of City owned property that are more suitable ("Possible City Owned Affordable Housing Sites" report): Crestone Ave (2.75 acres), Grant/Ouray (3.25 acres) and Poncha Blvd/Ouray (4.25 acres). All would have ample off-street parking, wouldn't require road closures, more land to build on allowing for more affordable housing, and also could have apartment buildings. According to the 2016 Chaffee Housing Needs Assessment, rentals are what Salida actually needs.

Here are questions on the rezoning application for M&3rd being discussed at tonight's meeting:

1. Included in the packet is a letter from Chaffee Housing Trust/Read McCulloch - what is the date of that letter?
2. That letter from CHT is requesting "the rezoning of the City owned lot at the intersection of M Street and 3rd Street."
  - Please quote the municipal code that allows a private corporation to request the City rezone City owned property for land the private corporation does not currently own.
  - Please quote the municipal code that requires the City to place an application to itself to have property rezoned.
3. According to SMC 16-6-130 (2): Quitclaim Deed. Whenever the City approves an application vacating a public right-of-way, the City shall provide abutting landowners with a quitclaim deed for the vacated lands. Each abutting landowner shall be deeded that portion of the vacated right-of-way to which the owner's land is nearest in proximity.
 

As there are landowners abutting this land on at least 2 sides (if both E. Crestone and M Street are vacated), who will the City issue the quit claim deed to as it doesn't appear CHT currently owns any adjoining property? (CRS 43-2-302 43-2-302-" Vesting of title upon vacation" is the Statute Mr. Nelson quoted about the city giving land away without a vote, but this CRS is about vacating public roadways and doesn't authorize the City giving land away.)
4. Please quote the municipal code (or State Statute) that says the City can give land away to a private corporation.
5. This land is real municipal property used and held for a public purpose: these are two municipal streets owned/maintained by the City and there is a water/sewer line under this road/land, which is certainly public use.

Why rezone this if the City has to put this up for vote to give away this property to Chaffee Housing Trust? (CRS 31-15-713)? Is this putting the "cart before the horse" as CHT hasn't gotten approval for this project yet? Even Buena Vista's Town Attorney realized BV couldn't just give land away to Urban Inc. without a public vote (MM 11/16/17).

Thank you.

Melanie Cymansky, Salida

***"Nearly all men can stand adversity, but if you want to test a man's character, give him power." Abraham Lincoln***

***"The most terrifying words in the English language are: I'm from the government and I'm here to help." Ronald Reagan***

**Merrell Bergin**  
**PO Box 868**  
**Salida, CO 81201-0868**  
**mberginco@gmail.com**

June 18, 2020

Mr. Bill Almquist  
Planner  
City of Salida  
448 East 1st Street  
Salida, CO 81201

Re: Right of Way Vacation and Rezoning Application  
East Crestone Avenue and Part Lot 4-6 Strip C of Eddy Brothers Addition  
Planning Commission Public Hearing June 22, 2020

Mr. Almquist, Members of the Planning Commission:

**I am writing in support of the proposed right of way vacation and rezoning application for the subject parcel.** Beginning with the community meeting on March 4, 2020 at the Scout Hut, I have listened carefully to all sides of the proposed six-unit workforce housing development, to be built in the area of East Crestone Avenue, 3rd and M Streets. The proposal is a prime example of creative and forward thinking on the part of City Council, Economic Development staff, the Planning Commission, Chaffee Housing Trust and other community stakeholders committed to helping fill a small piece of Salida's critical housing gap. It makes a statement that the City will not rest until more opportunities for affordable housing exist, one small (but significant) project at a time.

As a downtown property owner and 16-year resident, I appreciate the desire for people to maximize and protect their interests. The City is doing just that. Vacating the right of way and consolidating the zoning of these unique parcels allows the City to actively achieve the highest and best use of its holdings. This is not for anyone's monetary gain, instead it merely exchanges raw dirt for the greater public good - for ALL Salidans. As it stands today, these parcels are not useful to anyone and the right of way only encourages motorists to cut through the residential area on their way elsewhere. How does that help anyone?

Are there challenges with this plan? Sure; if it were cookie-cutter easy, this project would have been done long ago. Planning and other City departments have put a lot of effort into finding solutions to make this **work**. The only area not fully addressed, that might need more attention is how to calm and redistribute vehicle traffic among West 3<sup>rd</sup> Street, Poncha Boulevard and Crestone Avenue, by the Courthouse. Careful and holistic planning for pedestrian, bicycle and vehicle traffic in the area should be done in any case. Traffic engineering, calming and enforcement solutions are well within our reach, making the entire area better and safer for all.

Beyond simple self-interests, dollars and cents I would urge all decision makers and the community at large to look at the [heartfelt stories of their neighbor's housing insecurities](#)

[that were presented on May 28 by The Chaffee County Housing + Health, Dinner and a Movie Series.](#) These are real people with real needs and it's in our power to make a difference.

In each of these personal stories, significant obstacles were overcome with creativity and just plain hard work. In each case, creative partnerships greatly improved people's lives and health, while the community as a whole benefits. The Planning Commission can help the City meet stated its goals for improving housing security through affordability, while increasing this area's property values and revitalizing a desirable in-town neighborhood overall.

An amazing amount of speculation, poor assumptions, fearmongering and wild financial estimates have already been put to the public, from a handful of abutting neighbors who favor their own interests rather than sharing in a sense of partnership with their neighbors and the larger community. This is not "win-lose", it is a win for all.

Tonight's public hearing and those that follow will bring out the real costs, facts and figures and should put to rest the "Not in My Backyard" fear factor being cast on this creative effort.

This hearing should conclude that the requests for vacation and rezoning meet existing safeguards and codes, are reasonable and proper. Granting these actions will move the project forward again for public comment and another hearing, with accurate costs and detailed plans. If technical issues are raised tonight, please make every effort to remediate them. I urge you vote "yes" and continue the process.

Merrell Bergin  
Tel. 303-601-1785

**VIA EMAIL to: [bill.almquist@cityofsalida.com](mailto:bill.almquist@cityofsalida.com)**

**Merrell Bergin**  
**PO Box 868**  
**Salida, CO 81201-0868**  
**mberginco@gmail.com**

August 10, 2020

Mr. Bill Almquist  
Planner  
City of Salida  
448 East 1st Street  
Salida, CO 81201

Re: Right of Way Vacation and Rezoning Application  
East Crestone Avenue and Part Lot 4-6 Strip C of Eddy Brothers Addition  
2nd Reading and Public Hearing, August 18, 2020

Mr. Almquist, Mayor Wood, Members of City Council:

**I am writing again in support of the proposed right of way vacation and rezoning application for the subject parcel, for affordable housing. Rather than repeat my June 18, 2020 letter, my focus this time is on need and the human side of this equation.**

For the last two years, I have been a volunteer for a local nonprofit with a wide-ranging mission of improving life in Chaffee County. Housing insecurity is a top issue for our nonprofit, especially in Salida and never more so than since the pandemic began. I've known for some time that many people struggle to work multiple jobs, and even if they can find any place to live, end up getting bounced around due to rising rents and a shrinking supply of safe, decent housing. Some must resort to couch surfing, campgrounds or worse, are forced to leave the area altogether to the detriment of their health and our community.

**Now it's personal:** in my work I hear from individuals and families barely hanging on, who are now falling off the cliff, due to factors beyond their control. With a rapidly disappearing supply of in-town land, not enough building and a lack of federal government support, the gap between supply and demand for affordable housing is only widening; unlikely to abate.

In comes the Chaffee Housing Trust (CHT); a trustworthy, proven local developer of smaller-scale projects, ready to help provide permanent and affordable housing for perhaps five, to-be-named families. The only way this project will succeed and help these families is with the approval of Resolutions 2020-10 and 2020-11. More than simply facilitating, this partnership allows the City to create something tangible, **today**. Turning a "maybe someday" dream into actual homeownership for residents who are by no means faceless. These people are the backbone of our local economy - working families. Each of the many applicants for this housing opportunity have their own unique stories and a strong desire to grow roots here. Many will be turned away, yet we still must try; every unit built in Salida helps.

The proposed project at 3<sup>rd</sup> and M Streets is not a “one and done” for Salida, CHT, Habitat for Humanity or a soon-to-be, multijurisdictional housing authority. Rather, it’s a small but significant step forward, built on a rising momentum of community support. This project will be a showpiece and model of walkable, in-town housing that enriches the fabric of the West Third Street neighborhood and the community at large.

These parcels are not without their development challenges; yet no deal-breakers have appeared. In fact, key departments working together (Planning, Public Works, Fire) with CHT have gone the distance to find creative solutions for economics, zoning, parking, utility placement and workable traffic patterns.

You have it in your grasp to be able to make a huge difference and show the heart that is at the center of our community. Aim high, and yes, listen to other opinions, but refuse to stand still when the solution is clear and the need is urgent.

It’s time for the City to unanimously pass these resolutions and let the development process continue to the next step. Creative partnerships like this one greatly improve people’s lives and health, while the community as a whole benefits. As a downtown property owner and 16-year resident, I am heavily invested in the future of Salida. I believe that a key part of that success will be measured by how well we in turn invest in our workforce. This affordable housing project is essential towards that goal.

Merrell Bergin  
Tel. 303-601-1785

**VIA EMAIL to: [bill.almquist@cityofsalida.com](mailto:bill.almquist@cityofsalida.com)**



---

## E. Crestone Public hearing signs are non-compliant

---

**Michelle Parmeter** <mparmete@yahoo.com>

Thu, Jun 11, 2020 at 1:03 PM

Reply-To: "mparmete@yahoo.com" <mparmete@yahoo.com>

To: "bill.almquist@cityofsalida.com" <bill.almquist@cityofsalida.com>

Cc: "harald.kasper@salidaelected.com" <harald.kasper@salidaelected.com>, Mike Pollock <mike.pollock@salidaelected.com>, "dan.shore@salidaelected.com" <dan.shore@salidaelected.com>, "jane.templeton@salidaelected.com" <jane.templeton@salidaelected.com>, "justin.critelli@salidaelected.com" <justin.critelli@salidaelected.com>, "alisa.pappenfort@salidaelected.com" <alisa.pappenfort@salidaelected.com>, Glen Van Nimwegen <glen.vannimwegen@cityofsalida.com>, Nina Williams <nwilliams@mdbrlaw.com>, Drew Nelson <drew.nelson@cityofsalida.com>

One sign per property is required by code: "Notice shall be posted by the applicant on the subject property...."

There are 2 applications for 2 properties being discussed, rezoning E. CRESTONE property and vacation. E. CRESTONE property that is going to be rezoned did not meet 15 day and applicant placement requirement plus full disclosure. The 3rd W Public notice did not meet full disclosure requirement.

Sent from Yahoo Mail on Android

On Thu, Jun 11, 2020 at 12:48 PM, Bill Almquist <bill.almquist@cityofsalida.com> wrote:

For reference, I am attaching photos showing that the site was posted in multiple locations (only one location is required by the Code) on Friday, June 5th. I am also attaching a photo of the replacement notice that I constructed at the corner of W. 3rd and E. Crestone Ave. on Monday, June 8th, after I learned that the postings had blown off in Saturday's "derecho." I also attempted to re-secure one of the other notices to the stop sign, but it appears that sign fell down again. The sign at the corner of W. 3rd and E. Crestone Ave. remains.

On Thu, Jun 11, 2020 at 12:03 PM Michelle Parmeter <mparmete@yahoo.com> wrote:

The city's lack of transparency is appalling with respect to E Crestone vacation and adjoining property rezoning and it is a travesty of civil and fair government. The public hearing signs for the applications to rezone and vacate are non-compliant to meet the 22 Jun Public Hearing.

The sign on E. Crestone (attached) was blown away last Saturday lasting less than 20 hours. It was replaced by Bill at 345 pm on Monday and was promptly blown up the street by wind. It was placed in its current state the next day by an elderly gentleman who walks up E. Crestone every day. It looks like trash in the ditch.

The notice posting has not met the 15-day requirement for public hearing nor was it posted in its current state by the applicant. The notice also did not mention the donation of land thereby not fully disclosing the purpose of the public hearing. The above are violations of public hearing notice posting requirements.

It also used legalese most people do not understand. Most people do not know that vacation of E. Crestone means the street is going away which further exemplifies the City's lack of transparency.

The following was sent to Bill Almquist on 8 June 2020:

One of your signs met its demise with the wind again this afternoon after you left. I counted the hours the signs were up and took pictures.

You did not meet the full 15 days required for public hearing notices being displayed on the property prior to the public hearing.

You also didn't fully disclose the full intent of vacation and rezoning ... eventual donation of land that provides government services which is an illegal donation.  
You also didn't make them sturdy or waterproof.

QED: The 22 June meeting has to be moved.

Regards,  
Michelle M Parmeter





Sent from Yahoo Mail on Android

--  
Bill Almquist  
Planner



(719) 530-2634  
[bill.almquist@cityofsalida.com](mailto:bill.almquist@cityofsalida.com)

"M.S.H.G.S.D"



Bill Almquist <bill.almquist@cityofsalida.com>

---

## E. Crestone public hearing comment 1.

---

Michelle Parmeter <mparmete@yahoo.com>  
To: Bill Almquist <bill.almquist@cityofsalida.com>

Wed, Jun 17, 2020 at 7:47 AM

Please be aware that Mayor's and council's behavior has instilled mistrust and lack of transparency with the public by only hearing CHT's side during the City Council meetings on 15 Oct 2019 and 16 Mar 2020.

15 Oct 2019 council meeting did not include all parties as only CHT was represented. The agenda item was nebulous and didn't invoke a reason for citizens to look further in the package:

Agenda item 6.g Request for Property Donation – Chaffee Housing Trust (Administration)

An average citizen would not be alarmed by this agenda item and would not consider looking at the package to see if it impacts them. The details of the agenda item were buried in a 31 MB package and found on page 193 of 219 pages further exemplifying the City's lack of transparency. The package included a property survey that would require the city to donate land to the abutting property owner not CHT. City council present at this meeting included Dan Shore and Cheryl Brown-Kovacic (council member at the time). Both have conflict of interests. Dan shows bias toward CHT as he is donator to CHT and Cheryl was on the CHT advisory board. Cheryl motioned to approve the request to begin vacation of the land. All these behaviors further support a lack of transparency from the City deepening mistrust.

16 March work session did not include all parties. It was held 6 days after the Governor requested COVID emergency disaster. No teleconferencing options were provided for this meeting. The meeting was biased toward CHT as citizens being cautious about COVID spread were not provided an avenue to participate and were discriminated. Read, CHT executive director, had the mayor and council's undivided attention for over an hour. The opposition's comments from the 4 Mar community meeting were not accurately presented by the Planning Commission. Recap of 4 March meeting in the 16 March working session shows bias by using "perceived" and not accurately reflecting the comment on affordable housing survey.

"Attendees were largely in opposition to the project due to perceived to property values, questioning the need of affordable housing and implications for traffic and transportation."

The opposition stated the survey did not accurately reflect the views of all Salida citizens. A valid survey should have 80% response rate. The survey has a 12% response rate. The survey only asked if affordable housing was an issue. It did not ask if affordable housing means home ownership. It did not ask if people would prefer to own or rent affordable housing. It did not ask the city to vacate a busy public street. The following is the list from 4 Mar meeting. The city has not provided response and did not attempt to impartially acknowledge the opposition:

Why is CHT not building rentals?

What were the criteria for determining available lots?

What lots did the City of Salida determine were available?

What does the timeframe or timeline look like?

Why is the property going to be rezoned?

That the project will lower our property values

That the survey that addresses affordable housing as a number one concern of Salida

Citizens does not reflect the views of Salida citizens accurately .

Clarity on the deed management and intergenerational transfer of deeds.

That the process is moving too fast.

Sent from [Mail](#) for Windows 10

## ***E. Crestone Public hearing comment 2***

Inbox



***Michelle Parmeter***  
***to me***

***Wed, Jun 17, 7:48 AM (1 day ago)***

The city continues to ignore the fact that the E. Crestone public hearing signs are non-compliant. They did not meet full 15 day posting period nor did they accurately describe the nature of the public hearing. The public notice signs further instill public mistrust as they do not draw the attention of passing cars, bikes or walkers. The signs are 27" off the ground and are not visible to passing cars. They don't even look like good garage sale signs. See example of useful public notice signs.





**PUBLIC NOTICE**

Application No:  
Applicant:  
Proposal:

 To submit comments or obtain information contact:  
Planning and Development Services  
747 Market Street, Room 345, Tacoma, WA 98402  
**(253) 591-5030**  
[www.tacomapermits.org](http://www.tacomapermits.org)

Please provide Chain of Custody of digital evidence that supports the pictures metadata were safe from secondary tampering.

One sign per property is required by code: "Notice shall be posted by the applicant on the subject property...."

There are 2 applications for 2 properties being discussed, rezoning E. CRESTONE property and vacation.

E. CRESTONE property that is going to be rezoned did not meet 15 day and applicant placement requirement plus full disclosure. The 3rd W Public notice did not meet full disclosure requirement.

[Sent from Yahoo Mail on Android](#)

On Thu, Jun 11, 2020 at 12:48 PM, Bill Almquist  
<[bill.almquist@cityofsalida.com](mailto:bill.almquist@cityofsalida.com)> wrote:

For reference, I am attaching photos showing that the site was posted in multiple locations (only one location is required by the Code) on Friday, June 5th. I am also attaching a photo of the replacement notice that I constructed at the corner of W. 3rd and E. Crestone Ave. on Monday, June 8th, after I learned that the postings had blown off in Saturday's "derecho." I also attempted to re-secure one of the other notices to the stop sign, but it appears that sign fell down again. The sign at the corner of W. 3rd and E. Crestone Ave. remains.

On Thu, Jun 11, 2020 at 12:03 PM Michelle Parmeter <[mparmete@yahoo.com](mailto:mparmete@yahoo.com)> wrote:

The city's lack of transparency is appalling with respect to E Crestone vacation and adjoining property rezoning and it is a travesty of civil and fair government. The public hearing signs for the applications to rezone and vacate are non-compliant to meet the 22 Jun Public Hearing.

The sign on E. Crestone (attached) was blown away last Saturday lasting less than 20 hours. It was replaced by Bill at 345 pm on Monday and was promptly blown up the street by wind. It was placed in its current state the next day by an elderly gentleman who walks up E. Crestone every day. It looks like trash in the ditch.

The notice posting has not met the 15-day requirement for public hearing nor was it posted in its current state by the applicant. The notice also did not mention the donation of land thereby not fully disclosing the purpose of the public hearing. The above are violations of public hearing notice posting requirements.

It also used legalese most people do not understand. Most people do not know that vacation of E. Crestone means the street is going away which further exemplifies the City's lack of transparency.

The following was sent to Bill Almquist on 8 June 2020:

One of your signs met its demise with the wind again this afternoon after you left. I counted the hours the signs were up and took pictures. You did not meet the full 15 days required for public hearing notices being displayed on the property prior to the public hearing. You also didn't fully disclose the full intent of vacation and rezoning ... eventual donation of land that provides government services which is an illegal donation. You also didn't make them sturdy or waterproof.

QED: The 22 June meeting has to be moved.

Regards,  
Michelle M Parmeter



Bill Almquist <bill.almquist@cityofsalida.com>

---

## E. Crestone public hearing comment 3

---

**Michelle Parmeter** <mparmete@yahoo.com>  
To: Bill Almquist <bill.almquist@cityofsalida.com>

Wed, Jun 17, 2020 at 7:48 AM

Even though the code only requires letters go to properties 175 ft from subject property, the city has further instilled mistrust by not making it clear to the Mesa and west-side neighborhoods that the proposed Crestone corridor to/from downtown is being eliminated and they will be impacted.

Sent from [Mail](#) for Windows 10



---

## E. Crestone public hearing comment 4

---

Michelle Parmeter <mparmete@yahoo.com>  
To: Bill Almquist <bill.almquist@cityofsalida.com>

Wed, Jun 17, 2020 at 7:49 AM

-  
-

City council approved the motion for city staff to begin the application process for E. Crestone vacation on 15 October 2019. The section of land proposed to be vacated in this motion is different than the E. Crestone vacation application proposed section of land submitted by City of Salida/Chaffee Housing Trust (CHT). The difference between the land section in what was approved with Council motion and what is part of the vacation application is a piece of land that abuts a private property owner. The action by the City of Salida to begin vacation of land that was not approved in the 15 October motion and to change the section of land in the vacation application to benefit CHT is unethical and shows blatant bias toward CHT. Had the City of Salida kept with the approved by motion land vacation section, the City would have to quickly claim deed the land to the abutting property owner. Since the city is both the applicant and approver of this application, they are the plaintiff and judge at the same and just talking about the application in City offices/staff meetings without the defendants (concerned citizens) being present is also unethical.

### **Sec. 16-6-130. - *Vacation* of recorded plat, right-of-way or easement.**

(2) Quitclaim Deed. Whenever the City approves an application *vacating* a public right-of-way, the City shall provide abutting landowners with a quitclaim deed for the *vacated* lands. Each abutting landowner shall be deeded that portion of the *vacated* right-of-way to which the owner's land is nearest in proximity.

According Colorado Constitution Article XXIX Ethics in Government Section 1c, local government officials or employees shall avoid conduct that is in violation of their public trust or that creates a justifiable impression among members of the public that such trust is being violated.

Colorado Constitution Article XXIX – Ethics in Government

Section 1. Purposes and findings.

(1) The people of the state of Colorado hereby find and declare that:

(a) The conduct of public officers, members of the general assembly, local government officials, and government employees must hold the respect and confidence of the people;

(b) They shall carry out their duties for the benefit of the people of the

state;

(c) They shall, therefore, avoid conduct that is in violation of their public trust or that creates a justifiable impression among members of the public that such trust is being violated;

*It is the **duty** of all **public servants** to ensure that the **public's** money is spent as efficiently as possible and that programs are provided effectively, **without discrimination or prejudice**, with **transparency** and **without waste of money or resources***

Although CHT and the City have made E. Crestone about affordable housing to feed on the goodwill of citizens, E. Crestone vacation opposition is not about to have or to not have affordable housing. It is about public safety, fiscal responsibility and ethics.

Sent from [Mail](#) for Windows 10



---

## E. Crestone public hearing comment 5

---

Michelle Parmeter <mparmete@yahoo.com>  
To: Bill Almquist <bill.almquist@cityofsalida.com>

Wed, Jun 17, 2020 at 7:50 AM

E. Crestone opposition is not about to have or to not have affordable housing.

While data will support that Salida needs affordable housing, the fiscal and safety data does not support it on E. Crestone. Providing affordable housing is the right thing to do but E. Crestone is the wrong place. In addition to public safety and fiscal responsibility issues surrounding the vacation and rezoning of property, there is already affordable housing 1000 ft from the projected development site (HUD housing at Mesa/Crestone). This section of the city is already "scattered" with affordable housing. The development code needs to reflect that all neighborhoods equally share the responsibility of affordable housing scattering.

CHT and the City unfortunately has made E. Crestone about affordable housing to feed on the sympathy of goodwill. The City's benevolence and emotions have succumbed to believing E. Crestone development is viable location for affordable housing. The affordable housing platform cannot be an excuse to ignore public safety and fiscal responsibility.

Fiscal responsibility

Applicant screening process

Research should be done on organization's processes and practices before donating to that organization. Noble cause alone cannot be grounds for donations. Donations should not be given to an organization with processes susceptible to fraud and that are not equitable.

CHT's applicant screening process has been recently been abused and is susceptible to fraud.

The following screen shots have been redacted for the individual's name; however, the name of the applicant is public knowledge due to our county tax assessor database, county website and social media.

The applicant is the BV lumberyard employee mentioned in the 27 May 2020 Mountain Mail editorial by Ken Matthews. The applicant is a 21-year-old male. The BV lumberyard employee bought the CHT house on 27 March 2020, quit his lumberyard job on 3 Apr 2020 and started as a Chaffee County Detention officer on 6 Apr 2020. The Chaffee County Detention officer job pays \$42K/year which is over the minimum income allowed for CHT housing for a single person. It takes more than 10 days to get hired by the county as a detention officer. A screening process that allows this is not fair to those that really need help ... even non-low income individual get the opportunity to buy a house at age 21.

Cost

The land value alone ranges from \$360K to \$430K. Harald is selling his .16 acres on Hillside for \$144K. The tax value on .17 acres in town is around \$120K.

E. Crestone property is .17 acres

E. Crestone vacated street is .18 acres

M. Street property is .17 acres (from county tax accessor)

P.T's requirement for selecting viable lots around town were that they were shovel-ready. Rezoning, vacating a street and moving utilities does not constitute shovel-ready. The citizens asked for the requirements for selecting viable lots numerous times and we have not been given an answer.

Drew Nelson's comment that E. Crestone is an "odd" angle so it must go away is not a valid argument. There are at least a half dozen "Bermuda" triangles around town ... some of them with parks. Parks are shovel-ready.

#### Public Safety

- o E. Crestone is the most natural flowing corridor to/from downtown to/from the Mesa. It is the natural extension of Highway 160. It is the least restricted corridor as well: no stop signs or yield signs.
- o Traffic study performed on E. Crestone is invalid due to decrease activity in these pandemic times. Any numbers from the traffic study should be doubled or tripled to accurately reflect vehicular traffic volumes. The traffic study also does not count any pedestrian or bicycle traffic.
- o You are taking away a major traffic route from the Mesa and routing vehicles and cars through a congested road (Crestone) in front of the courthouse and county buildings as well as through an unsafe intersection (Crestone and Poncha).
- o Routing traffic via H 291 is longer is distance and traverses a busy section of 1st Street.
- o Last week, we saw 4 Sheriff vehicles and 2 Salida police vehicles scream up E. Crestone in a period of 2 hours.
- o A minute increase in response times increases mortality by between 8 (measured 1 day after the initial incident) and 17% (measured 90 days after the initial incident). By eliminating E. Crestone, you are increasing the emergency response time from the fire station to the Mesa neighborhoods. Does the city really want to be liable for the increase of mortality?
- o By eliminating E. Crestone, you putting vehicular, pedestrian and bicycle traffic to/from the Mesa in danger.

While I applaud your intent to help affordable housing issues, affordable housing cannot trump public safety or fiscal responsibility.

Michelle M Parmeter

Search here...

### SHERIFF'S OFFICE

**John Spezze, Sheriff**  
**Andy Rohrich, Undersheriff**

641 West 3rd Street  
PO Box 699  
Salida, Colorado 81201

**Emergency: 911**

**Non-Emergency: 719-539-2596**

**Communications Center Fax:**  
719-539-3648

**Records Fax: 719-539-1077**

**Email: [records@chaffeesherriff.org](mailto:records@chaffeesherriff.org)**

**FIRE RESTRICTIONS**

**PAY TICKET ON-LINE**

->

#### DETENTIONS DEPUTY – CIVILIAN

The Chaffee County Sheriff's Office is accepting applications for full-time and part-time positions as a Civilian Detentions Deputy. These Deputies will perform a variety of duties pertaining to inmate activities and movement within the facility. This is a fast paced environment requiring energetic, self-motivated individuals with good computer skills, communication skills and the ability to multi-task. This facility has 105 beds and houses local inmates, overflow inmates from other agencies and inmates pending sentences with the Colorado Department of Corrections.

Applicants must be at least 18 years of age, possess a valid Colorado driver's license with a good driving record, no felony convictions, have a high school diploma or equivalent, and be able to work varying shifts and weekends.

-----> Annual full-time salary starts at \$42,000.00 with benefits that include: health, dental, vision, retirement and paid leave time.

Applications can be downloaded or picked up at the Chaffee County Detention Facility -148 Crestone Ave. Salida, CO. Applications must be notarized. Our records staff is available for notarization Monday through Thursday.

For additional information on these positions, please contact Lieutenant Justin Martinez at (719)539-7150. Chaffee County is an equal opportunity employer.

#### FULL TIME COOK

Full-Time Assistant Cook – full benefits

The Chaffee County Detention Center has an immediate opening for an assistant jail cook. Applicants must be at least 21 years of age and be able to pass a background check. Salary for this position is \$38,480 per year/\$18.50 hour. Applications can be picked up at 148 Crestone Avenue, Salida or downloaded from our website. Applications will be reviewed as they are received and hiring will be done promptly. For more information please contact Lt. Martinez at 719-539-7150. Chaffee County is an EOE.



### Work



**Detention Deputy at Chaffee County Detention Center**

April 6, 2020 - Present  
Salida, Colorado



**Former Yard Worker at Rocky Mountain Lumber & Hardware**

July 3, 2017 - April 3, 2020  
Buena Vista, Colorado



### Education



**Went to Salida High School**  
Class of 2017



**Went to Salida Schools**

### Places He's Lived



**Buena Vista, Colorado**  
Current City



**Salida, Colorado**  
Hometown

### Basic Info



**Male**  
Gender

### Relationship



**Single**

### People You May Know



**Karen Olszewski**  
The University of Southern...  
2 Mutual Friends



**Rhonda Flurry**



**Holly Bauer White**  
Leader - Strategy & Innova...  
1 Mutual Friend



SEE MORE

### Pages You May Like



**The Hunger Trailer at Pon... Barbecue**  
464 Likes



**The Firefly Restaurant**  
American  
342 Likes



**Natural Grocers (Denver E... Specialty Grocery Store**  
407 Likes



SEE MORE

Owner

Redacted

Buildings

Occupancy	Townhouse - Separate Unit	Roof Type	Gable
Built As	Modular 2 Story	Roof Cover	Composition Shingle
Square Feet	930	Foundation	24 Concrete
Year Built	2019	Tot # of Rooms	3
Adjusted Year Built	2019	Bed Rooms	2
HVAC	Electric Radiant	Baths	1.5
Building Condition	Good	Total Basement Area	0
Building Quality	Average	Exterior Wall	Frame Siding
Interior	Drywall	Value	\$129,882
Stories	2		

Type	Description	Units or Square Footage
Porch	Open Slab	12
Porch	Open Slab	12
Porch	Open Slab	20
Porch	Slab Roof	100

Valuation

	2020
Land Value	
Building Value	\$129,882
<b>Total Value</b>	<b>\$129,882</b>
Assessed Land Value	
Assessed Building Value	\$9,290
<b>Total Assessed Value</b>	<b>\$9,290</b>
Estimated Total Taxes	\$549.98

Sales

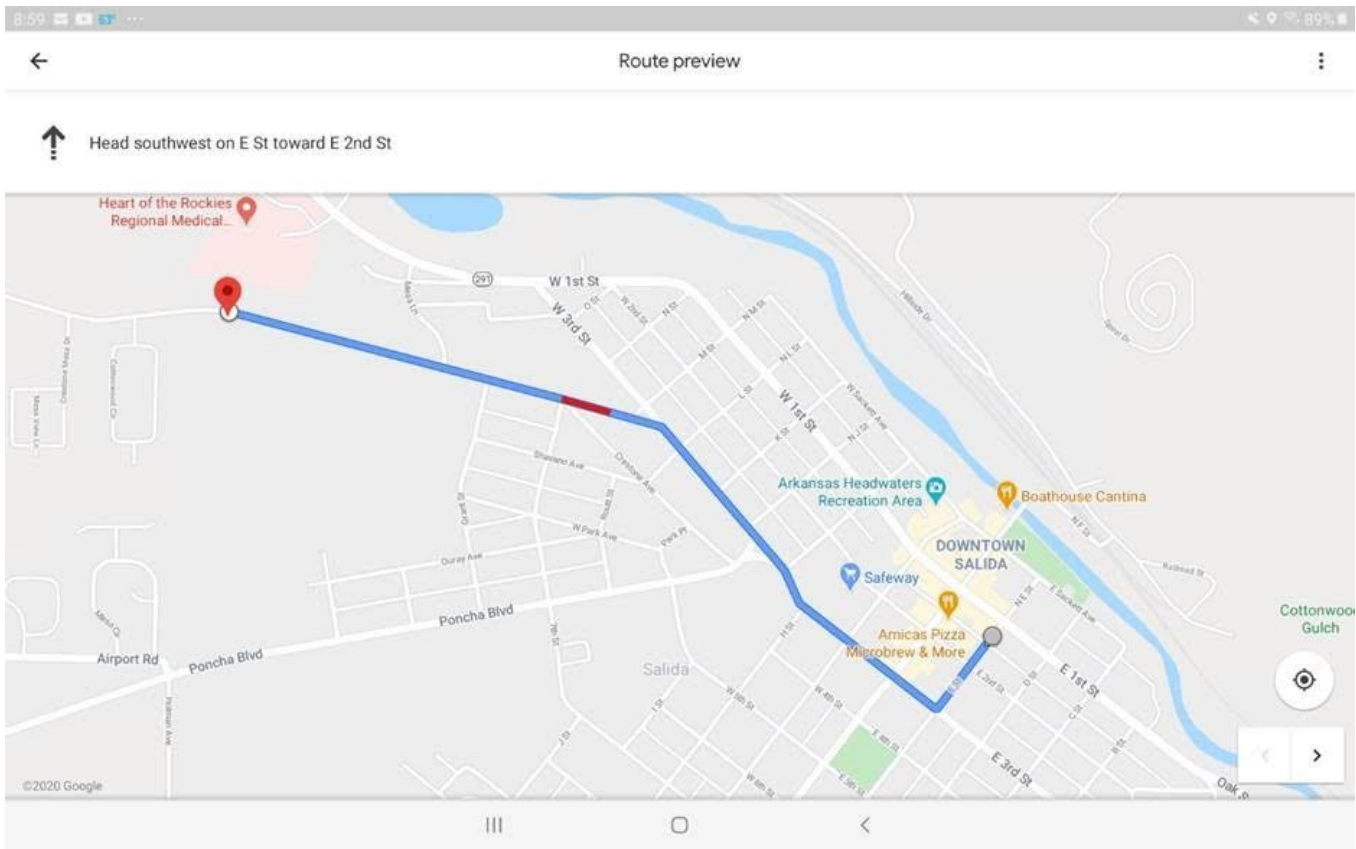
Sale Date	Sale Price	Instrument	Reception Number	Vacant or Improved
03/27/2020	\$213,600	Warranty Deed	457885	Improved

Photos



Sketches





Sent from Yahoo Mail on Android

Sent from Mail for Windows 10

## **E. Crestone public hearing comment 6**

Inbox



**Michelle Parmeter**

**Wed, Jun  
17, 7:51 AM  
(1 day ago)**

**to me**

City council approved the motion for city staff to begin the application process for E. Crestone vacation on 15 October 2019. The section of land proposed to be vacated in this approved motion (see first image) is different than the E. Crestone vacation application proposed section of land submitted by CHT/City of Salida (see second image). The difference between the land section in what was approved by Council motion and what is part of the vacation application is a section of land that abuts a private property owner (see third image). The action by the City of Salida to begin vacation of land that was not approved in the 15 October Council motion and to change the section of land in the vacation application to benefit CHT is unethical and shows blatant bias toward CHT. Had the City of Salida kept with the approved by motion land vacation section, the City would have to quickly claim deed the land to the abutting property owner (Pryor resident). It is also a conflict of interest for any public servant to take a premeditated impartial position on any application.

City of Salida Municipal Code Sec. 16-6-130. - Vacation of recorded plat, right-of-way or easement.

(2) Quitclaim Deed. Whenever the City approves an application vacating a public right-of-way, the City shall provide abutting landowners with a quitclaim deed for the vacated lands. Each abutting landowner shall be deeded that portion of the vacated right-of-way to which the owner's land is nearest in proximity.

According to Colorado Constitution Article XXIX Ethics in Government Section 1c, local government officials or employees shall avoid conduct that is in violation of their public trust or that creates a justifiable impression among members of the public that such trust is being violated.

Colorado Constitution Article XXIX – Ethics in Government  
Section 1. Purposes and findings.

(1) The people of the state of Colorado hereby find and declare that:

(a) The conduct of public officers, members of the general assembly, local government officials, and government employees must hold the respect and confidence of the people;

(b) They shall carry out their duties for the benefit of the people of the state;

(c) They shall, therefore, avoid conduct that is in violation of their

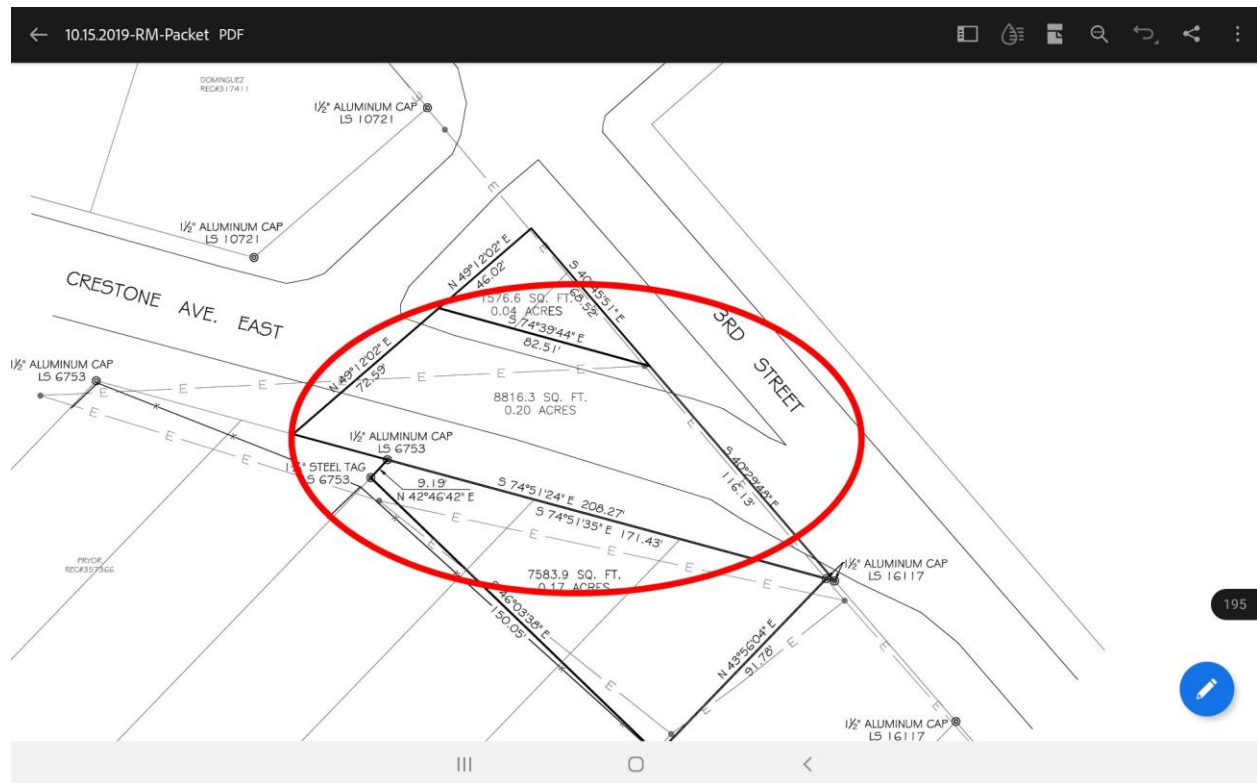
public trust or that creates a justifiable impression among members of the public that such trust is being violated;

Reference Colorado Independent Ethics Commission

handbook: [https://www.colorado.gov/pacific/sites/default/files/IEC\\_Ethics\\_Handbook\\_2016.pdf](https://www.colorado.gov/pacific/sites/default/files/IEC_Ethics_Handbook_2016.pdf)

It is the duty of all public servants to ensure that the public's money is spent as efficiently as possible and that programs are provided effectively, without discrimination or prejudice, with transparency and without waste of money or resources. Adding to the previous list from Friday's email, affordable housing cannot trump public safety, fiscal responsibility or a code of ethics. I want to believe I can trust the City of Salida to move in the ethical direction with respect to the E. Crestone vacation application.

Michelle M Parmeter









Bill Almquist <bill.almquist@cityofsalida.com>

---

## E Crestone public comment 7

---

Michelle Parmeter <mparmete@yahoo.com>  
To: Bill Almquist <bill.almquist@cityofsalida.com>

Wed, Jun 17, 2020 at 7:50 AM

CHT housing is not affordable.

Even with land donations, the price per square foot for CHT housing is unaffordable:

Salida – Two rivers house sold on 19 April 2019 for \$266.8K with 828 sq ft comes to \$322/sq ft

BV- The Farm house sold on 27 March 2020 for \$213.5 K with 930 sq ft comes to \$230/sq ft

The cost per square foot to build a basic home in Colorado is \$150/sq ft. Any developer or individual given free land should be able build a house for less than \$230-322/sq ft. Is a nonprofit corporation profiting from this difference in cost per square foot, \$140K and \$74K, respectively for the homes mentioned above? Is this really affordable? You decide.

Whether you are an individual, business or municipality, donations and grants to organizations should not be given on noble cause alone. In the case of the City of Salida:

- What oversight/due diligence is done by City of Salida before donating to any organization?
- Where is City of Salida's checklist used as criteria for screening eligibility of organizations requesting donations?
- What percentage of the donations goes toward salaries and operational expenses for the organization?
- What is the organization's five-year plan for growth (employees and assets)?
- Is the business model of the organization fiscally sound, sustainable and resilient?
- Does the organization protect personal individual information according to PII (Personally Identifiable Information) cyber security best practices?

Money used to provide donations and grants to organizations comes from taxpayers (income, property and sales tax). CHT's request for E. Crestone land donation by the City of Salida is misuse of the affordable housing platform and taxpayer benevolence. City council is being negligent by donating to any organization that doesn't adhere to consistent, objective, safe and fair business processes.

Sent from [Mail](#) for Windows 10



Bill Almquist <bill.almquist@cityofsalida.com>

---

## E. Crestone public hearing comment 8

---

Michelle Parmeter <mparmete@yahoo.com>  
To: Bill Almquist <bill.almquist@cityofsalida.com>

Wed, Jun 17, 2020 at 7:50 AM

The applications submitted by Chaffee Housing Trust (CHT) for vacation of E Crestone and rezoning the collective land to R2 should be null and void:

<https://cityofsalida.com/wp-content/uploads/3.16.20-Packet.pdf>

The applications were signed only by CHT executive director on 6 February 2020 as applicant/agent. The applications were submitted to the City by CHT just before the 4 March 2020 community meeting. The City of Salida was hand-written in as co-applicant on the applications sometime after the submission by CHT. The owner signature block was left unsigned.

CHT is not the owner of the land therefore should not be able to request vacation or rezoning of land. The land is owned by the citizens of Salida. CHT is a non-profit corporation with over \$1.5M in assets in 2018 (obtained from 2018 tax form 990). City council is overstepping their boundaries by sole-sourcing affordable housing development to CHT.

The applications cherry pick sections from the 2013 city comprehensive plan as the reason for vacating and rezoning; however, the plan clearly states, "The City of Salida does not directly provide affordable housing for the community." How much more direct can you get than donating citizen-owned land, city services and city labor? A comprehensive plan is not law ... rather it is a guide of vision.

<https://cityofsalida.com/wp-content/uploads/Complete-Comprehensive-Plan.pdf>

H-II.1 – Promote new development projects that contain a variety of housing, including affordable units.

Action H-II.1.a – Any residential development at the Vandaveer Ranch should include a significant affordable housing component.

Action H-II.1.b – Consider adoption of an inclusionary zoning ordinance.

Action H-II.1.c – Seek changes to the Land Use Code to ensure that affordable housing is interspersed throughout the city, maintaining diversity in existing neighborhoods.

The comprehensive plan does not recommend vacating a busy street and donating city assets, services and labor for affordable housing.

The planning commission meeting scheduled for May 26th to review these applications should be canceled due to the invalid submission of applications by CHT or at the very least postponed due to the state order requiring group gatherings be less than 10 people.

Rezoning and vacating of land requires a major impact review by the City Council. If indeed the city continues to review these invalid applications, the City Council should recuse themselves due to conflict of interest based on their lack of impartiality (non-signatory co-applicant) and conspiracy of personal agendas. We live in a democratic society. The council cannot be the judge, jury and executioner for these applications. Where are the checks and balances in this process if City council can give away city land and services without due process?



---

## E. Crestone public hearing comment 9

---

Michelle Parmeter <mparmete@yahoo.com>  
To: Bill Almquist <bill.almquist@cityofsalida.com>

Wed, Jun 17, 2020 at 7:53 AM

The application for vacation of E. Crestone/rezoning of land to R2 and subsequent donation of land to CHT should be stopped due to the following reasons:

1. E. Crestone does serve governmental purposes. A City-owned utility sewer line runs underneath it. This contradicts Nelson's statement in the 1 May 2020 Mountain Mail article: "Nelson cited Colorado Revised Statutes 31-15-713 when he said real estate owned by a municipality not used for governmental purposes may be transferred via ordinance. Since there has been no governmental use of the property in question, it is eligible to be transferred by ordinance."
2. A traffic study conducted during Stay/Safer at home Executive Orders is being used to support the vacation of E. Crestone. It is not a valid traffic study due to COVID-19 and the closing of Chaffee County to tourism.
3. The vacation causes injury to the surrounding neighborhoods. It is non-compliant with Municipal Code Section 16-4-110: "... shall not cause undue traffic congestion, dangerous traffic conditions or incompatible service delivery, parking or loading"
  - a. Increases traffic/parking on an already busy street
  - b. Re-routes Mesa traffic to Crestone Ave which is already burdened with traffic/parking issues around the courthouse and county buildings.
  - c. Lacks realistic/safe residential parking for the proposed units. Even though city code only requires 1 parking space/unit, actual parking space/unit usage is closer to 2-3. Proposed residents will have to park additional vehicles somewhere on 3<sup>rd</sup> street and walk/cross on an unsafe street.
4. The donation of city land and services is not fiscally prudent or legal.
5. The use of our electric franchise fee fund collected from Exel Energy(1% of our energy bills) to help with undergrounding current utilities for the site needs to be prevented. This money is for use by all residents to assist with undergrounding utilities.

Instead of cramming six 35 ft tall buildings on .17 acres and jeopardizing the safety of our citizens in surrounding neighborhoods, the land on E. Crestone should be designated as a pollinator garden perhaps to commemorate our City's fallen civil servants. The land has 7 trees and native rabbitbrush which is beneficial to migrating butterflies. We need more green zones in Salida and less structures polluting our skyline.



Bill Almquist <bill.almquist@cityofsalida.com>

---

## E. Crestone public hearing comment 10

---

Michelle Parmeter <mparmete@yahoo.com>

Wed, Jun 17, 2020 at 7:54 AM

To: Bill Almquist <bill.almquist@cityofsalida.com>

In the Friday February 27<sup>th</sup>, 2020 Mountain Mail, there was an article outlining Chaffee Housing Trust's meeting on Thursday March 5<sup>th</sup> during which CHT plans on giving updates on recent activities. What the article fails to mention is a major request of CHT that is in the works:

The CHT is applying to have the City-owned lots (triangles) on either side of E. Crestone Ave where intersects 3rd St. donated to the CHT. This would include the vacation of that short section of E. Crestone between 3rd and M. The lot created would allow the construction of 5 units + and ADU on the south side of the lot, backed up to the east side for affordable housing.

On October 15, 2019, the council unanimously approved vacation of E. Crestone Ave without a no-injury, traffic or emergency response impact assessment. CHT was the only side represented in the 15 Oct meeting. In early November 2019, the city had the property surveyed at the city's expense. In late February 2020, the city started removing street signs on W 3<sup>rd</sup> Street. CHT is announced the development of that property for affordable housing on March 4<sup>th</sup>, 2020 at 600 PM in the Scout Hut. CHT further continued development discussion without opposing parties at the 16 March 2020 City council work session.

Property values surrounding the lots average over \$500K. The average price of the affordable housing will be \$265K. A 2017 Stanford affordable income housing study indicates that housing of similar value surrounding affordable housing does not see a negative impact; however, surrounding housing that is valued well-above the affordable housing value does see a negative impact to value.

The 2018 inclusionary housing ordinance requiring 12.5% affordable homes is for new annexations and developments of 5 or greater units. Salida has plenty of large undeveloped zones that will provide affordable housing due to the inclusionary housing ordinance. Decisions by the council around affordable housing need to be fair, informed and least impactful to its citizens.

Sent from [Mail](#) for Windows 10



Bill Almquist <bill.almquist@cityofsalida.com>

---

## E. Crestone public hearing comment 11

---

**Michelle Parmeter** <mparmete@yahoo.com>  
To: Bill Almquist <bill.almquist@cityofsalida.com>

Wed, Jun 17, 2020 at 8:49 AM

Please explain why Salida Municipal code does not explicitly state which decisions the city considers quasi-judicial. This is best practice.

Does the City of Salida have a published code of ethics? If not, why? Does the city have certified ethics training for its personnel?

Please explain why Salida Mayor and City council did not ask if opposing party was represented at the 15 Oct 19 and 16 Mar 20 council meetings.

By not asking, these meetings even though they were public are analogous to a judge allowing court proceedings to occur without opposing council.

Sent from [Mail](#) for Windows 10



Bill Almquist <bill.almquist@cityofsalida.com>

---

## E. Crestone Ave. Housing

---

**Nick Merchlewitz** <nickpmerk@gmail.com>  
To: bill.almquist@cityofsalida.com

Wed, Aug 12, 2020 at 7:27 AM

To whom it may concern,

My name is Nick Merchlewitz and I support the construction of affordable housing at E. Crestone Ave. The Chaffee Housing Trust helped me buy a home at the Two Rivers Rowhouses just over a year ago, and I feel very fortunate they were able to help me out. Buying a home with the help of the Chaffee Housing Trust was not an easy process and this home was not just handed to me. I work my ass off 40 hours/ week and I do not get any help from the government to pay for my home. The Chaffee Housing Trust is helping regular, hard working people like myself and it would be great to see them continue to help the community with affordable housing. Again, I support the construction of affordable housing at E. Crestone Ave. Thank you for your time,

Nick Merchlewitz

**From:** Rob Dubin <robDubin100@gmail.com>

**Sent:** Wednesday, June 10, 2020 12:52

**To:** P. T. Wood <pt.wood@salidaelected.com>; Dan Shore <dan.shore@salidaelected.com>; jane.templeton@salidaelected.com; Justin Critelli <justin.critelli@salidaelected.com>; mike.pollock@salidaelected.com; alisa.pappenfort@salidaelected.com; harald.kasper@salidaelected.com; merrell.bergin@salidaelected.com

**Subject:** Crestone Ave- Chaffee Housing Trust

I would like to go on record as being against closing the intersection at 3rd and M Streets as I feel this project is going to result in several unintended consequences that will be detrimental to our city.

Like many in Salida I've long thought that affordable housing needs to remain one of our top priorities. However it is clear to me the Chaffee Housing Trust's plan for 3rd and M Street is addressing the right problem with the wrong solution. On a recent weekday I stood at the intersection of Crestone and East Crestone Avenue for half an hour and witnessed that 65% of the cars heading west onto Crestone and eventually CR160 were coming up East Crestone from 3rd street- the intersection that the City proposes closing to accommodate the Housing Trust's new homes. Meanwhile Longhorn Ranch, Crestone Mesa and Cottonwood Green are all building with dozens or eventually 50 or more homes to be built on Country Rd. 160 - all accessed by Crestone Avenue. If the housing trust project goes forward all that traffic will be forced to travel up Crestone and go in front of the courthouse. The result will be a four or five fold increase in traffic going in front of the courthouse than we currently have.

For traffic east bound into town the situation is even worse as it forces much more traffic into the already difficult intersection with Poncha blvd. Cars on Crestone have a yield sign and have to look behind them over their right shoulder while also gauging the speed of on coming cars turning up the hill at this unsafe intersection. Increasing the traffic many fold will lead to accidents. Chaffee County's wide courthouse lawn with the beautiful trees and parklike atmosphere is one of the charms of Salida. Turning this street into a major thoroughfare is not an improvement.

As City planners are well aware there are also currently under consideration plans to expand the courthouse building and put parking across the street in the lot owned by the Presbyterian church. Putting parking where a lot already exists is a wonderful Salida community solution which was offered to save cutting down the beautiful trees in front of the courthouse. However it does mean there will be a significant increase in pedestrians crossing the street towards the courthouse. The crosswalk from the parking lot will be right in the crosshairs of traffic at the already difficult intersection with Poncha Blvd mentioned above. New construction on CR 160, the closing of 3rd and M streets and new offices and more visitors at the Courthouse will combine for a "perfect storm" with deadly consequences. Greatly increased traffic is being funneled directly to where pedestrians will be trying to cross the street to access the courthouse from the new parking lot. The traffic study for this project was done during the Covid shutdown making its data unreliable. In addition the study was done without knowing exactly what the County will be doing as regards a new building and the above mentioned parking lot. For both of those reasons there is no possibility of intelligent decision making based upon such a flawed traffic study.

None of us want to stand in the way of increased affordable housing in Chaffee County but this project has not been well thought out. The likelihood of an auto-pedestrian accident in front of the courthouse is a virtual certainty with possible deadly consequences. No one wants that. The Housing Trust should pursue its goals at one of its other potential locations.

Rob Dubin  
Salida CO



Bill Almquist <[bill.almquist@cityofsalida.com](mailto:bill.almquist@cityofsalida.com)>

---

## FW: Letter of support for affordable housing

1 message

---

**Glen VanNimwegen** <[glen.vannimwegen@cityofsalida.com](mailto:glen.vannimwegen@cityofsalida.com)>  
To: [bill.almquist@cityofsalida.com](mailto:bill.almquist@cityofsalida.com)

Mon, Jun 1, 2020 at 10:13 AM

Glen Van Nimwegen, AICP

Community Development Director



---

**From:** robert weisbrod [mailto:[weisbr9@yahoo.com](mailto:weisbr9@yahoo.com)]  
**Sent:** Sunday, May 31, 2020 8:45 PM  
**To:** [glen.vannimwegen@cityofsalida.com](mailto:glen.vannimwegen@cityofsalida.com)  
**Subject:** Letter of support for affordable housing

submit.

Dear Editor,

I ask your readers to support the efforts to create affordable housing in Salida, including the East Crestone street vacation to create a buildable lot. As a result of home ownership through the Chaffee Housing Trust, I've been able to stay in my current job at the hospital. As a renter, it was getting too expensive for me to stay in Salida and I would have left town. Instead, I'm not stressed about getting kicked out of my place because they are going to sell it, or raise the rent yet again to where I can't afford it. My home is a lot nicer than rentals I've lived in. I'm getting to know my neighbors here, which didn't happen in a rental. I'm developing community with other homeowners, I can garden here, and I have stability, socially and financially with fixed monthly housing payments that will not go up.

Employees that work here should be able to live here. It is good for businesses because workers stay longer. They do less commuting (less environment impact). Workers who live in the community spend most of their money in the community, contributing to the tax base, supporting local businesses. As a percentage of their income, they spend more than wealthy residents and visitors. Moderate amounts of tax dollars should be spent on supporting workforce. Tax dollars are spent beautifying the city for tourists, on roads, schools, and other essential things. Aren't workers essential to our economy?

Please, let's help out our local employees and our community, we'll all be happier in the end.

Robert Weisbrod

[Sent from Yahoo Mail for iPhone](#)

July 6, 2020

Salida City Council:

RE: Vacating and development of Crestone Avenue at 3<sup>rd</sup> street

The Permanent vacating and blocking of City streets for an additional one or two living units is not a short term or long term solution for housing. The vacating is permanent, the low income housing is not. Such a precedent will create an effort by every developer, every downtown entity needing parking, any new quality business wanting to bring quality jobs here, every housing project, etc., to look to this option in the future to solve developmental problems throughout the City and/or to maintain a strong downtown community.

To the Crestone location specifically, the only problem to be solved will be a speeding issue coming into town from County Road 160 that was somewhat corrected with the speed signs.

Problems created will be (1) traffic diverted to the front of the courthouse and through the infamous third street hill intersection, (2) increased use on Mesa Lane which is strongly used for the Hospital, ambulances, and north bound drivers trying to make left turns onto Hwy 291, (3) the L street hill, which is very steep, would have to be used more on icy days when 4 wheel drives will be needed, (4) R-1 and R-2 neighborhoods would be permanently changed with precedent setting approvals(is density too dense here), (5) R-1 zoning would become moot with all long term R-1 home owners knowing they can add an ADU, subdivide property in the name of housing, and move elsewhere, (6) with the vacating, snow plowing at a turnaround or at one 90 degree turn adds several pass throughs, along with ongoing drainage diversions being continual problems on the sandy hill, and (7) five or six units does NOT fit into the Zoning and neighborhood--two or three units would fit into R-1 or R-2 and community/neighborhood aesthetics would be saved and adhered to rather than cluttered from the development building structuring.

Rusty Granzella  
248 West Park Ave  
Salida, CO 81201



Bill Almquist <bill.almquist@cityofsalida.com>

---

## East Crestone

---

**Sandy Baur** <sandybaur107@gmail.com>  
To: bill.almquist@cityofsalida.com

Tue, Jun 23, 2020 at 7:53 AM

I am writing because I am deeply concerned about the possible closure of E. Crestone. Why the city would consider closing one of the FEW access points to the mesa is beyond me. More and more homes are being built on the mesa which increases traffic on Crestone. Closing Crestone will force an increase in traffic in front of the courthouse and through one of the most dangerous intersections in Chaffee County. Pushing people to access the mesa from 7th is not a strong option as it increases traffic past Longfellow. During the school year, is that a good idea?  
Please keep Crestone open!

Sent from my iPhone

# PURE GREENS

River Grown | Mountain Cannabis | Salida, Colorado | Elev. 7,143 ft.

5/6/2020

Dear Editor,

When I first arrived in Chaffee County, I was struck by the incredible sense of community and truly amazed at how citizens voiced emphatic support for Affordable Housing. Most communities see this as a “Not In My Backyard” issue, and I was genuinely moved by the community support. Looking at the reaction to the Chaffee Housing Trust’s (CHT) proposed development at M & 3<sup>rd</sup>, it is disappointing to see things have changed.

The cost of housing in Chaffee County consistently outpaces the income of its primary workforce. The median price of a single-family home is now \$424,500, and a condo/townhouse is \$400,000. Home prices are up more than 25% in just the past 4 years (condo/townhouse properties are up 38% in just the past 12 months).

Market forces drive up home prices, which is good for our community in many ways. It is however, a grave and gathering danger when a typical working family cannot afford the dream of home ownership.

We should be concerned about the impact of rapidly diminishing opportunities for home ownership. Housing dramatically affects quality of life for those who live and work here. Furthermore, it hinders economic development and the ability to attract and retain new business and a workforce.

Home ownership is historically the single best opportunity for building and sustaining financial stability. There are, however, substantial benefits beyond just equity in home ownership. Renters are subject to housing volatility, which necessarily lowers their commitment to community. Property ownership, particularly in the innovative model of CHT, keeps money in our community and improves commitment to an active civic life...activities critical to the health and welfare of neighborhoods and cities alike.

Government has great incentive to stimulate development of affordable housing, with a unique and important role in accomplishing this objective but it cannot make housing affordable by decree. Instead, it should support private/community investment in affordable housing through land-use, fee reductions and code modifications that reduce development costs.

The parcel at M Street and Third Street is a publicly owned asset without benefit to the community. Repurposing this site for affordable housing is an investment in workforce stability, increased tax revenue to the both the County (property taxes) and the City (sales tax), and integrating the workforce into our community.

I learned about CHT through the Marijuana Excise Tax Board (METAB) and found the model very compelling. It is more than just a way to finance home ownership...it allows those who would otherwise be priced out of the market to own a home and build equity value and keeps a portion of the invested capital perpetually in the community.

I have witnessed the benefits of the CHT, as one of our employees is a CHT homeowner. That home has made a world of difference in her life and her future.

# PURE GREENS

River Grown | Mountain Cannabis | Salida, Colorado | Elev. 7,143 ft.

The City should continue to be creative in finding ways to build affordable homes by partnering with the Chaffee Housing Trust.

Sterling F. Stoudemire IV

President & CEO, Pure Greens



Bill Almquist <bill.almquist@cityofsalida.com>

---

## Chaffee Housing Trust - Approval of the vacation of E. Crestone

---

**Sterling Stoudenmire** <sterling@puregreens.com>  
To: "bill.almquist@cityofsalida.com" <bill.almquist@cityofsalida.com>  
Cc: Read McCulloch <read@chaffeehousing.org>

Tue, Jul 28, 2020 at 11:18 AM

Bill and City of Salida City Council,

I am writing to express my ardent support for the Approval of The City of Salida vacating the parcel at E. Crestone in favor of the Chaffee Housing Trust (CHT). Attached is a copy my letter of support (as submitted to the Mountain Mail on May 6), which outlines the reasons for support.

I am a charter member of the Marijuana Excise Tax Advisory Board ("METAB"), and Pure Greens is the single largest tax contributor to the METAB. As such, I have been keenly aware of the CHT for several years through the METAB application and grant process. I think it is safe to say the CHT is always at the top of our grant awards list, for the simple reason that it is easily the most compelling and obvious value proposition for positive impact on our community in the both the short and long term. That perspective is considerably amplified by first-hand knowledge of the amazing impact the CHT has had on those individuals who have been recipients, including one of our own employees.

Further, as a Chaffee County EDC board member, I can affirm that affordable ("workforce") housing is one of the single biggest impediments to recruiting new business to the county. The city's support of affordable housing options should make a substantial positive contribution to the economy, and supporting it via the CHT is a great way to ensure that impact will effectively be in perpetuity. I have long been an advocate of public support for affordable housing, and this particular action is a low-risk way to prove that impact for both the City of Salida, and its citizens.

I am happy to appear before the city council and provide whatever insight/assistance it may request in regards to this specific matter, and/or the CHT in general. Should the council have any questions or concerns regarding my letter and/or support, please do not hesitate to contact me directly.

Respectfully,

Sterling F. Stoudenmire IV

President & CEO, Pure Greens



**Sterling Stoudenmire IV** 

President & CEO

C: 407.925.8205 | W: 719.362.1025 | [www.PureGreens.com](http://www.PureGreens.com)

7800 County Road 152 | Salida, CO 81201

**PURE GREENS**

River Grown | Mountain Cannabis | Salida, Colorado | Elev. 7,143 ft.

---

## 2 attachments



**Stoudenmire Letter in Support of CHG 200506.pdf**  
273K



**Sterling F\_ Stoudenmire IV.vcf**  
2K



---

## Vacating of East Crestone

---

**Teresa Thompson** <hotmetalmama@gmail.com>

Sun, Jul 5, 2020 at 3:45 PM

To: publiccomment@cityofsalida.com, Teresa Thompson <hotmetalmama@gmail.com>

Dear City Council Members-

I am submitting my comments in opposition to the vacating of East Crestone to facilitate the building of 6 housing units, with only one parking space allotted per unit.

My first concern is that with the approved rezoning of City property on the hillside above East Crestone, there is room for two units to be built without vacating a much used thoroughfare and moving a major sewer line. Why was the building of two units not explored by either the developer or staff? Why was the building of two units skipped right over in favor of vacating a public road and moving major buried infrastructure? Was Habitat for Humanity or any other not for profit home building group offered the land with the option of building two units? If not, why? Why not let two units be built with a plan laid out for development of other in fill vacant land the City owns? If the developer can not make two units financially viable with donated City land then I am suspect of his abilities period. I understand wanting to use vacant city land as infill for building affordable housing so why not build what you have room for without giving away city streets, moving buried infrastructure and permanently disrupting an established traffic pattern?

I find it hard to believe that this project as proposed was the easiest of all the choices of City land to donate. I would like to see staff present a pro and con list of all vacant City land that was under consideration for infill affordable housing to City Council members as well as the general public before Council agrees to vacate a public road and move a relatively new sewer line. Is there a master plan to develop infill affordable housing on identified donated City property? IF not, why not? Such a study would lay out all the options for infill affordable housing and make choices for vacating public roads more transparent and relevant based on an overall picture of developable property. I think it is critical to this discussion to evaluate all the options on the table before agreeing to vacate a road as important as East Crestone. Agreeing to vacate a road is a dangerous precedent to set. If you agree to vacate for this project, what is to stop the next developer from suing the City if they are denied a road vacation down the road?

Also, the traffic study done to justify vacating East Crestone was done by "observation" by the police department during the beginning of the Covid shutdown. I would like to request that a new traffic study be done, one using CDOT traffic counting equipment and done during a period of time where the general public is not being encouraged to stay home. Only then can you get a true traffic count. Vacating a road, particularly one used as a major route to get on and off the mesa is too important to use a spit balled traffic study.

Infill affordable housing should fit cohesively into an existing neighborhood. Giving away and shutting down public roads, approving housing that only provides one parking space per unit and disrupting established traffic into and out of the neighborhood is not making the new infill fit into the existing neighborhood. It is the exact opposite of that. If you have room for two units on the existing property, then move forward with two units. I and my neighbors would support and welcome that kind of development.

Lastly, I am not opposed to affordable housing. It is disappointing to me to be placed in a position of sounding like I am. But by it's very nature, infill building be it for affordable housing or any other kind of development should accommodate itself to the existing neighborhood. Not the other way around.

Sincerely,

Teresa Thompson  
804 W. Third Street  
Salida CO

Sender and receiver should be mindful that all my incoming and outgoing emails may be subject to the Colorado Open Records Act, § 24-72-100.1, et seq.

----- Forwarded message -----

From: **Wallace Ewing** <[wkewing1@gmail.com](mailto:wkewing1@gmail.com)>

Date: Fri, Mar 13, 2020 at 1:51 PM

Subject: Third Street housing project. Please forward to Bill Almquist

To: <[dan.shore@salidaelected.com](mailto:dan.shore@salidaelected.com)>, <[jane.templeton@salidaelected.com](mailto:jane.templeton@salidaelected.com)>, <[justin.critelli@salidaelected.com](mailto:justin.critelli@salidaelected.com)>, <[mike.pollock@salidaelected.com](mailto:mike.pollock@salidaelected.com)>, <[harald.kasper@salidaelected.com](mailto:harald.kasper@salidaelected.com)>, <[alisa.pappenfort@salidaelected.com](mailto:alisa.pappenfort@salidaelected.com)>

I have listened to both sides of the proposal to build affordable housing at the intersection of East Crestone Avenue and Third Street, and I understand the issues involved. Disregarding costs to the city, the effect of the project on property values, and the traffic problems that it will create, I oppose the concept on the grounds that this parcel of land is not an appropriate site for multiple housing of any kind, affordable or otherwise, because it requires the City of Salida to vacate a busy street that connects residents on the Mesa with downtown Salida, and that also entails constructing multiple residences on a steep hill that would leave owners with little or no backyard and would impact the residents' property on (upper) Crestone Avenue. I cannot think of a positive outcome for the housing project, if it were approved. There must be other sites within the city that present fewer problems.

Wallace K. Ewing

[718 West Third Street, Unit A](#)

[Salida CO 81201](#)



Erin Kelley &lt;erin.kelley@cityofsalida.com&gt;

---

**FW: Affordable housing**

1 message

---

**pt.wood@salidaelected.com** <pt.wood@salidaelected.com>  
To: Erin Kelley <erin.kelley@cityofsalida.com>

Tue, Aug 18, 2020 at 9:47 AM

I received this today, should be added to comments.

**P.T. Wood** Mayor, Salida,CO

---

Phone: 719 530 2624

Email: [pt.wood@salidaelected.com](mailto:pt.wood@salidaelected.com)

Website: [www.cityofsalida.com](http://www.cityofsalida.com)

**From:** Jeannie Peters <[jpgeters1127@gmail.com](mailto:jpgeters1127@gmail.com)>

**Sent:** Tuesday, August 18, 2020 09:45

**To:** [pt.wood@salidaelected.com](mailto:pt.wood@salidaelected.com)

**Subject:** Affordable housing

Hello P.T.,

I am writing to encourage you to support the necessary steps for affordable housing at East Crestone and Third St. With the mean closing price of homes at \$475,000 we need affordable housing now more than ever. As a member of the Salida School Board I am extremely concerned about the lack of affordable housing for our teachers and staff, especially with the dire forecast for educational funding over the next few years. The financial repercussions of the pandemic are as devastating as those affecting our communal physical and social health. It will be hard to meet all of those needs. However, we can meet some of them. Please vote for whatever steps are necessary to provide affordable housing in our community.

Thank you for your service on behalf of our community.

Sincerely,

Jeannie Peters



Bill Almquist <bill.almquist@cityofsalida.com>

---

## For August 18th public hearing

---

Stacey Joslin <theangelwhisperer44@yahoo.com>

Fri, Aug 14, 2020 at 1:20 PM

To: "bill.almquist@cityofsalida.com" <bill.almquist@cityofsalida.com>

To Whom It May Concern,

I am responding to the proposal to vacate the portion of the street known as East Crestone Avenue located within Strip C of Eddy Brothers Addition (between M Street and W. 3rd Street).

I live on W. 3rd Street near the intersection of 3rd and O Street.

I am against this proposal because:

1. The road that is supposedly going to be removed, and built upon, is used often. After living on W. 3rd Street for about 14 years, I have only seen the traffic increase, as well as the speeds at which people drive. I would not like to lose one of the intersections that help drivers turn south off of W. 3rd Street. There have been attempts in the past by my neighbors to get the City of Salida to place either a speed bump at 3rd and O Street or to place a 3-way stop sign to slow down the speedy traffic, but to no avail. The City of Salida has continually turned us down.
2. I think that increasing the housing on W. 3rd Street without any way to slow down the amount of traffic would be detrimental to the neighborhood.
3. I don't know the ins and outs about how this proposal came about. But it appears that the city is trying to take away a public city street for corporate development. How does that happen when tax payers' money pay for the streets? I have heard rumors that in the past, the City of Salida has tried to sell public land to private developers, and I hope that is not what is happening in this situation.

Thank you for considering my input,  
Stacey Joslin  
20-year-long citizen of Salida, Colorado

August 14, 2020

Salida City Council Members  
City Hall  
Touber Building  
448 East First Street, Suite 112  
Salida, Colorado 81201

Dear Salida City Council Members:

Subject: **Support for Ordinance 2020-11**

I am writing to ask you to approve Ordinance 2020-11, which is a consolidation of two adjoining City of Salida-owned properties into one contiguous site at East Crestone Avenue, M Street, and West 3<sup>rd</sup> Street. The ordinance allows the City to join two vacant and unusable lots to create a usable rectangular lot.

Based on my experience with Chaffee Housing Trust, I support the partnership between the City of Salida and Chaffee Housing Trust to build up to six (6) affordable homes in four (4) buildings on the newly created rectangular lot using the community land trust model. As I describe below, I have first-hand experience with the positive influence of affordable housing on a Salida neighborhood.

In June 2019, Chaffee Housing Trust Director Read McColloch asked Lawton Eddy and me to facilitate a planning session with the residents of the Old Stage Road Rowhouses. At the time, eight adults and ten children under 17 years old owned or rented one of the affordable townhouses. Lawton and I helped the residents plan what they wanted for the landscaping in their common area.

The residents enthusiastically supported amenities such as a small community garden, play area for children, fire pit, shade trees, and benches. When you go to this Two Rivers subdivision now, you will see that the residents of the affordable rowhouses are proud of their larger neighborhood and maintain their homes and common area very well.

In my opinion, Chaffee Housing Trust's approach to the build quality and residency requirements for affordable housing adds to the appeal of the area.

Sincerely yours,

Susanna Spaulding  
11495 County Road 251  
Salida, Colorado 81201



Erin Kelley &lt;erin.kelley@cityofsalida.com&gt;

---

**Fwd: Vacation of E Crestone - Comments for 8/18 CC meeting**

1 message

---

**Bill Almquist** <bill.almquist@cityofsalida.com>  
To: Erin Kelley <erin.kelley@cityofsalida.com>

Tue, Aug 18, 2020 at 5:05 PM

FYI.

----- Forwarded message -----

From: **Hale Monster** <halemonster@gmail.com>  
Date: Tue, Aug 18, 2020 at 4:59 PM  
Subject: Vacation of E Crestone - Comments for 8/18 CC meeting  
To: <bill.almquist@cityofsalida.com>

Hi, Bill -

I wanted to voice some questions/concerns regarding the proposed vacation of E Crestone.

Dear, City Council -

It is my understanding that the impetus for the proposed vacation of E Crestone is to consolidate city owned land with the intention of reserving it for the construction of affordable housing, provided the project is subsequently approved.

I want to be clear from the start that the questions I am asking and the concerns I am voicing are not value judgements on whether or not affordable housing is a "good" thing. I am not asking if Salida and Chaffee County need more affordable housing options, because clearly we do. I am not agreeing or disagreeing that this is the "right" neighborhood for affordable housing and I am not speculating as to what affordable housing will do to surrounding property values.

What I am asking is, Is this a *viable* site for affordable housing?

My cursory understanding of the project is that in order to use this site for 6 housing units the street must be vacated, traffic patterns changed, sewer lines (and possible other utilities) re-routed, M Street re-graded and a possible allowance within the project for a retaining wall on the SE side of the street. Has there been a cost analysis done and do we know what the work to develop the site would cost? Who bears the financial responsibility of the site development? City? Citizens? Chaffee County Housing Trust? and how would that responsibility be allocated?

Specific to the vacation of E Crestone for the development of 6 affordable housing units, my questions are:

- What will the new traffic pattern be? Will there be a cul-de-sac? Will M Street remain open to vehicular traffic? and what provisions will be made for pedestrian and bicycle traffic?
- My understanding is that a portion of the site is projected to be used for parking. What will that look like? How will it be lit at night? and will the lighting plan conform to Salida's Dark Sky regulations?

My concern about vacating this street for the future development of affordable housing is that the cost of the site development would preclude the units from being affordable. In my mind, there could be real value in playing the long game. What if we applied the resources required to develop this single 6 unit site to Vandaveer, for example, and brought utilities in instead of re-directing already established sewer lines? What if we played the long game and had real vision and worked toward the goal of 50 units instead of 6? and knew that this longer range initiative could be balanced that out by focusing on building affordable housing on the land subsidized by local developers?

Again, this isn't meant to be a value statement on whether or not affordable housing is "good" or "needed" - I think we all know that answer. More so I'd like council to ask the hard questions and get real answers to use as data when making this decision and to consider the impact of the short game vs. the long game when it comes to allocating resources.

Thank you,  
Kristin "Hale" Camp

--  
Smaller places, though limited in net human presence, are savored in ways born of direct experience and through an affection that accumulates with being there. 'Black Rock' - Goin & Starrs

--  
Bill Almquist  
Planner



(719) 530-2634  
[bill.almquist@cityofsalida.com](mailto:bill.almquist@cityofsalida.com)

"M.S.H.G.S.D"



Bill Almquist <bill.almquist@cityofsalida.com>

---

## Explanation of CHT home pricing

1 message

---

Read McCulloch <read@chaffeehousing.org>  
To: Bill Almquist <bill.almquist@cityofsalida.com>  
Cc: Glen Van Nimwegen <glen.vannimwegen@cityofsalida.com>

Tue, Jun 30, 2020 at 5:05 PM

Bill,

Please share the following with City Council.

There has been some confusion regarding the actual price of CHT homes. To explain, there are two development scenarios that play out:

### CHT as developer

In the Two Rivers development in Salida, the CHT acquired a lot donated by the developer, Natural Habitats, with the mandate to provide 8 affordable homes. The CHT acted as developer / general contractor, financing the project, hiring subs, assuming risk, and finding buyers to purchase the homes at a price affordable to a household earning less than 80% of Area Median Income (AMI). To achieve this, the CHT sought out grant funding and fee waivers to directly support construction, as well as reduced water and sewer development fees. These sources reduced the price of the home from what it cost the CHT to develop them down to an affordable price for the buyers. Homes appraised at approx. \$268,000. The recorded sales price per the County Assessor's records is the appraised value. The qualified low-income buyers paid \$170,000. That amount, plus grants and other cost reductions, plus the CHT's 4% developer fee, add up to the recorded sales price.

### CHT as partner

In the Farm at Buena Vista, the CHT partnered with Fading West, LLC., the developer. The CHT was not involved in the construction of the homes, nor did it assume the full risk of development. The CHT provided down payments on behalf of the eventual low-income homebuyers so that construction could be initiated. Once the homes were complete, the CHT acted as a transaction facilitator, bringing the buyers and all the grants to closings. Buyers paid amounts ranging from \$172,260 to \$178,500, but actual (recorded) sales prices ranged from \$202,947 to \$216,800. The difference between buyer's price and recorded price included multiple different grants that the CHT brought to closing. The CHT did not make any profit on these sales, and in fact incurred expenses on financing that were not covered by grants.

At some point in the future, when current homeowners decide to sell, a new appraisal will be done. The difference between that future appraised value, and the recorded sales price (appraised value or market price at time of original sale) will be the market-based appreciation. The seller will receive 25% of that appreciation, and the new buyer will pay what the original buyer paid, plus the 25%. All the original grant funds and added value will stay with the home for all future transactions. The recorded sales price will reflect the new appraisal. The resale formula ensures that future pricing will remain affordable for future buyers who earn less than 80% AMI. This creative financing and pricing ensures that once built, the homes start out as affordable, will not require any additional subsidy at future resale, and will remain affordable in perpetuity. By holding title to the underlying land, the CHT will continue to provide stewardship of these homes protecting the community's asset for the purpose of affordable housing. The CHT Board, which controls the organization's assets, will always be representative of the community, including government, private, and homeowner board seats.

The nuances of the CHT's financing is understandably confusing and may appear to be complicated, leading to misunderstanding. I hope this clarifies things.

Thank you, Read

Read McCulloch

Executive Director  
(719) 239-1199  
read@chaffeehousing.org  
www.chaffeehousing.org  
PO Box 692  
Buena Vista, CO 81211



**CHAFFEE HOUSING TRUST**  
A Commitment to Community



**PastedGraphic-1.tiff**  
27K

**CHAFFEE HOUSING TRUST**  
A Commitment to Community

**Estimated City of Salida Contributions Related to Conceptual CHT Affordable Housing Development:**

(Location: Corner of W. 3<sup>rd</sup> Street/M Street/East Crestone Ave)

	<b>Street Configuration Option 1:</b> (E. Crestone Ave Cul-de-sac & M Street Closed and Replaced with Pedestrian Accessway/Open Space):	<b>Street Configuration Option 2:</b> (M Street Realignment and Regrade)	<b>Expended to Date?</b>
<b>Appraised Land Value*</b>	\$122,000*	\$122,000*	No
<b>Cost of Appraisal</b>	\$3,700	\$3,700	Yes
<b>Site Survey</b>	\$1,600	\$1,600	Yes
<b>Full Engineering &amp; Design</b>	\$7,000	\$7,000	No
<b>Right-of-way Improvements</b>	\$75,000 - \$100,000	\$90,000 - \$115,000	No
<b>Undergrounding of Electrical Lines**</b>	\$80,000**	\$80,000**	No
<b>Totals</b>	<b>\$289,300 - \$314,300</b>	<b>\$304,300 - \$329,300</b>	

\*Appraised value is likely to increase if rezoning and right-of-way vacation applications are approved

\*\*The City has discretion to use reserve funds from Xcel Energy's franchise fee specifically for this purpose, often in coordination with anticipated development. The underground fund currently has approximately \$1.2 million available. These funds can *only* be used for undergrounding of electrical facilities and are not reimbursable to the City.



**REQUEST FOR CITY COUNCIL ACTION**

Meeting Date: August 18, 2020

<b>AGENDA ITEM NO.</b> 5.c.	<b>ORIGINATING DEPARTMENT:</b> Community Development	<b>PRESENTED BY:</b> Glen Van Nimwegen
--------------------------------	---------------------------------------------------------	-------------------------------------------

**ITEM:**

Resolution No. 2020-28; Proposed approval of the Salida RV Resort Development Agreement.

**BACKGROUND / DISCUSSION:**

**08-18-2020: Staff and the applicant are continuing to work through issues regarding construction within the wastewater treatment plant. We are confident we will have it wrapped up by the Council's September 15 meeting. Therefore we are requesting the approval be continued until September 15, 2020 agenda.**



**SUGGESTED MOTION:**

**A Council person should make the motion to “Continue the Approval of Resolution 2020-28 to adopt the proposed Salida RV Resort Development Agreement until the September 15, 2020 Council meeting.”**

**CITY OF SALIDA, COLORADO  
RESOLUTION NO. 28  
(Series 2020)**

**A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO  
APPROVING THE DEVELOPMENT AGREEMENT FOR THE SALIDA RV RESORT.**

**WHEREAS**, the property owners, G2M LLC (“Developer”) are owners of 19.1 acres (“Property”) which was annexed by the City of Salida subject to the Angler’s Ridge Annexation Agreement, which was amended by the City Council on March 5, 2019 and is recorded at Reception No. 453086 at the Chaffee County Recorder’s Office; and

**WHEREAS**, the property was zoned R-4, Manufactured Housing Residential by Ordinance No. 2019-04 approved by Council on February 19, 2019; and

**WHEREAS**, on February 24, 2020 the Planning Commission approved the Salida RV Resort limited impact review for the property; and

**WHEREAS**, pursuant to Sections 16-2-60 of the Land Use Code, and according to the provisions of the First Amended Angler’s Ridge Annexation Agreement, the City and the Developer wish to enter into this Agreement to set forth their understanding concerning the terms and conditions for the construction of the public improvements; cost sharing in accordance with the development plan and annexation agreement and the provision for affordable leases for Chaffee County workforce for the Property (“Agreement”); and

**WHEREAS**, staff shall be permitted to correct immaterial errors, typos and inconsistencies in the Agreement as approved by the Mayor.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council for the City of Salida that:

The Salida RV Resort Development Agreement is hereby approved.

**RESOLVED, APPROVED AND ADOPTED on this 4<sup>th</sup> day of August, 2020.**

(SEAL)

CITY OF SALIDA, COLORADO

\_\_\_\_\_  
Mayor PT Wood

ATTEST:

\_\_\_\_\_  
City Clerk/Deputy City Clerk



**REQUEST FOR CITY COUNCIL ACTION**

Meeting Date: August 18, 2020

<b>AGENDA ITEM NO.</b> 6.a.	<b>ORIGINATING DEPARTMENT:</b> Community Development	<b>PRESENTED BY:</b> Glen Van Nimwegen
--------------------------------	---------------------------------------------------------	-------------------------------------------

**ITEM:**

Resolution No. 2020-30; Approval of Subdivision Improvement; Scott Street Water Main Reimbursement; and Inclusionary Housing Agreement for Confluent Park Subdivision.

**BACKGROUND / DISCUSSION:**

The Confluent Park subdivision consists of 16.4 acres located at the northeast corner of Highway 50 and Vandaveer Ranch Road. The property is a part of the Vandaveer Ranch Planned Area Development which Council amended on January 21, 2020. Council approved the major subdivision on July 7, 2020 with adoption of Resolution 2020-24.



The attached agreement addresses:

- The financial guarantee for the construction of public streets and utilities within the subdivision and Scott Street water main extension;



## REQUEST FOR CITY COUNCIL ACTION

Meeting Date: August 18, 2020

AGENDA ITEM NO.	ORIGINATING DEPARTMENT:	PRESENTED BY:
6.a.	Community Development	Glen Van Nimwegen

- Reimbursement of the costs to extend the water main and pressure reducing valve to be constructed in Scott Avenue from River Ridge subdivision to north of Illinois Avenue;
- The details for implementing the City's inclusionary housing requirements.

The particulars of these three main sections of the Confluent Park Agreement are described below.

**Subdivision Improvement Agreement:** Section 16-2-60 of the Salida Municipal Code (SMC) requires a subdivision improvement agreement. Section 5 of the agreement sets the standards for the developer to put in place a financial guarantee for construction of the public improvements. This is a vehicle the City can use to complete the project in case of default by the developer. The amount of the financial guarantee must be 125% of the estimated cost; for Confluent Park the amount is \$2.1 million. Confluent Park will be built in three phases with expected completion in November, 2021. Section 6 defines the projected construction schedule.

**Scott Street Water Main and PRV Reimbursements:** Sections 13-2-150 and 13-2-160 of the SMC allows the City to act as a third party to collect pro-rata shares of the construction cost of utilities when subsequent developments connect to the lines. Approval of the zoning for the site required certain improvements be made to ensure two sources of water are provided. The solution is extending a water main within Scott Street approximately 670 feet from the River Ridge subdivision north to the terminus of Scott Street. Section 7.1 of the agreement includes the formula used to calculate the pro rata costs of the water main. The reimbursement obligation on adjoining properties is limited to ten years.

Section 7.2 outlines the City's role in recapturing the costs of installing a pressure reducing valve (PRV). The PRV does not benefit properties adjacent to where it is installed in Scott Street, rather it will benefit additional development that occurs adjacent to Confluent Park. Staff has created Exhibit E which identifies these properties and the amount of repayment. Because these properties are either not annexed to Salida or have development entitlements in place, and the owners are not parties to this agreement, our role will be limited to ensuring staff recommends the reimbursement as a part of any annexation or land use action that increases the development intensity of the parcels.

**Inclusionary Housing:** The planned development zoning stipulated that Parcel 1 be developed for up to 60 apartments that are affordable for households at 60% or less of the Area Median Income (AMI). Recently it was announced Commonwealth Development will be building 48 apartments at the site which will be affordable for folks in the 30 to 50% AMI range. The requirements of the PD are restated in Section 8.



**REQUEST FOR CITY COUNCIL ACTION**

Meeting Date: August 18, 2020

<b>AGENDA ITEM NO.</b> 6.a.	<b>ORIGINATING DEPARTMENT:</b> Community Development	<b>PRESENTED BY:</b> Glen Van Nimwegen
--------------------------------	---------------------------------------------------------	-------------------------------------------

**STAFF RECOMMENDATION:**

Staff recommends approval of the Subdivision Improvement; Scott Street Water Facilities Reimbursement; and Inclusionary Housing Agreement for the Confluent Park Subdivision.

**SUGGESTED MOTION:**

A Council person should make the motion to "Approve Resolution 2020-30 to approve the Subdivision Improvement; Scott Street Water Facilities Reimbursement; and Inclusionary Housing Agreement for Confluent Park Subdivision.

**Attachments:**

Resolution 2020-30

Subdivision Improvement; Scott Street Water Facilities Reimbursement; and Inclusionary Housing Agreement for the Confluent Park Subdivision

Confluent Park Subdivision Plat

**CITY OF SALIDA, COLORADO  
RESOLUTION NO. 30  
(Series 2020)**

**A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO APPROVING THE SUBDIVISION IMPROVEMENT; SCOTT STREET WATER FACILITIES REIMBURSEMENT; AND INCLUSIONARY HOUSING AGREEMENT FOR THE CONFLUENT PARK SUBDIVISION.**

**WHEREAS**, the property owners, Confluent Park Salida LLC (“Developer”) are owners of 16.4 acres described as Lots 1-4 of the Confluent Park Minor Subdivision recorded at Reception No. 456722 at the Chaffee County Recorder’s Office (“Property”); and

**WHEREAS**, the Property is a part of the Confluent Park amendment to the Vandaveer Ranch Planned Development approved by the City Council on January 21, 2020 by Ordinance 2020-01; and

**WHEREAS**, on July 7, 2020 the City Council approved the Confluent Park major subdivision by Resolution 2020-24; and

**WHEREAS**, pursuant to Sections 16-2-60 of the Land Use Code, and according to the provisions of Ordinance 2020-01 and Resolution 2020-24, the City and the Developer wish to enter into this Agreement to set forth their understanding concerning the terms and conditions for the construction of the subdivision public improvements; and cost reimbursements in accordance with the development plan and major subdivision approval for the Property (“Agreement”); and

**WHEREAS**, pursuant to Section 16-13-20 (g) of the Land Use Code residential developments must enter into an inclusionary housing development agreement with the City Council (“Agreement”); and

**WHEREAS**, staff shall be permitted to correct immaterial errors, typos and inconsistencies in the Agreement as approved by the Mayor.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council for the City of Salida that:

The Subdivision Improvement; Scott Street Water Main Extension Reimbursement; and Inclusionary Housing Agreement for the Confluent Park Subdivision is hereby approved.

**RESOLVED, APPROVED AND ADOPTED on this 18th day of August, 2020.**

CITY OF SALIDA, COLORADO

---

Mayor PT Wood

(SEAL)

ATTEST:

---

City Clerk/Deputy City Clerk

**SUBDIVISION IMPROVEMENT;  
SCOTT STREET WATER FACILITIES REIMBURSEMENT;  
AND INCLUSIONARY HOUSING AGREEMENT  
Confluent Park Subdivision**

THIS SUBDIVISION IMPROVEMENT; SCOTT STREET WATER FACILITIES REIMBURSEMENT; AND INCLUSIONARY HOUSING AGREEMENT (the “Agreement”) is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2020, by and between the CITY OF SALIDA, COLORADO, a Colorado statutory city (“City”), and Confluent Park Salida, LLC (“Developer”) (each a “Party” and together the “Parties”).

**Section 1 - Recitals**

- 1.1 The Developer represents that it is the fee title owner of certain lands known as the “Confluent Park Subdivision” consisting of 16.4 acres and more particularly described as Lots 1-4, Confluent Park Minor Subdivision as recorded at Reception No. 456722 at the Chaffee County Recorder’s Office, which is incorporated herein by this reference (the “Property”). The Property is located within the boundaries of the City.
- 1.2 On January 21, 2020 the City Council adopted Ordinance No. 2020-01 amending the Vandaveer Ranch Planned Development and creating the Confluent Park development plan for Parcel VPA-5.
- 1.3 Ordinance No. 2020-01 required certain public improvements be constructed within the project; water system improvements off-site at Scott Street; and affordable housing requirements.
- 1.4 On July 7, 2020 the City Council approved the Confluent Park major subdivision consisting of the Property described herein by adoption of Resolution 2020-24; a condition of the approval requires entering into a subdivision improvement agreement pursuant to Section 16-2-60 of the Salida Municipal Code and further defines how the affordable housing requirements will be met.
- 1.5 On July 14, 2020, after conferring with both the Planning Commission and City Council, the staff approved an insubstantial modification of the Planned Development to allow phasing of certain public improvements pursuant to Section 16-7-150 (c) of the Salida Municipal Code.
- 1.6 Pursuant to City Code Sections 13-2-160 and 13-2-170, the Developer shall be entitled to recover costs associated with construction of a portion of the Water and Sewer Facilities, and the extension of the water and sewer mains necessary to extend City services to the Property.
- 1.7 Pursuant to Section 16-13-20 (g) of the Land Use Code residential developments must enter into an inclusionary housing development agreement with the City Council. Such

agreements may be part of a subdivision improvement agreement. The agreement shall address the total number of units; the number of affordable units provided; standards for parking, density and other development standards for projects meeting the requirements; design standards for the affordable units and any restrictive covenants necessary to carry out the purposes of the inclusionary housing requirements.

- 1.8 The City wishes to advance development within municipal boundaries in accordance with the City of Salida 2013 Comprehensive Plan adopted April 16, 2013, as it may be amended.
- 1.9 Pursuant to Section 16-2-60; 13-2-160 and 170; and 16-13-20 of the Land Use Code, the City and the Developer wish to enter into this Agreement to set forth their understanding concerning the terms and conditions for the construction of subdivision public improvements and other improvements; recovery of costs for extending a water line within Scott Street and for meeting the inclusionary housing requirements as required by Ordinance 2020-01.
- 1.10 The City and the Developer acknowledge that the terms and conditions hereinafter set forth are reasonable, within the authority of each to perform, and consistent with the City of Salida Comprehensive Plan.

NOW, THEREFORE, for and in consideration of the mutual promises and covenants contained herein, the City and the Developer agree as follows:

## **Section 2 – Definitions**

As used in this Agreement, the following terms have the following meanings:

- 2.1 “Agreement” means this Subdivision Improvement; Scott Street Water Facilities Reimbursement; and Inclusionary Housing Agreement for Confluent Park. The Recitals in Section 1 above are fully incorporated into this Agreement and made a part hereof by this reference.
- 2.2 “City” means the City of Salida, a Colorado statutory City.
- 2.3 “City Administrator” means the City Administrator of the City of Salida, and the City Administrator’s designee.
- 2.4 “City Code” means the City of Salida Municipal Code.
- 2.5 “City Council” means the City Council of the City of Salida, Colorado.
- 2.6 “Dedicated Lands” means those lands the Developer will convey to the City for public use.
- 2.7 “Developer” means Confluent Park Salida LLC and its successor(s).
- 2.8 “Development” means all work on the Property required to transform the Property into the

Confluent Park major subdivision approved by the City by means of Resolution 2020-24. The term “Development” includes, without limitation, the demolition of existing structures; grading; construction of new structures; and construction of improvements, including without limitation streets, signage, landscaping, drainage improvements, sidewalks, utilities, and other improvements. When the context so dictates, the verb “Develop” may be used in place of the noun “Development.”

- 2.9 “Drainage Plan” means the drainage system designed for the subdivision in accordance with Section 16-8-60 of the Land Use Code.
- 2.10 “Effective Date” means the date on which City Council adopted a resolution approving the execution of this Agreement. On the Effective Date, this Agreement will become binding upon and enforceable by the City and the Developer.
- 2.11 “Force Majeure” means acts of God, fire, abnormal weather, explosion, riot, war, labor disputes, terrorism, or any other cause beyond the applicable Party’s reasonable control. A lack of money or inability to obtain financing does not constitute Force Majeure.
- 2.12 “Land Use Code” means the City’s Land Use and Development Code, Title 16 of the City Code.
- 2.13 “Native Vegetation” means “native plant” as defined in the Colorado Noxious Weed Act, C.R.S. § 35-5.5-103(15).
- 2.14 “Noxious Weed” takes the meaning given to that term in the Colorado Noxious Weed Act, C.R.S. § 35-5.5-103(16).
- 2.15 “Other Required Improvements Warranty Period” means a period of two years from the date that the City Engineer or the City Engineer’s designee, in accordance with the terms and conditions of paragraph 5.10 below, approves the Required Improvements that are not Public Improvements, and certifies their compliance with approved specifications.
- 2.16 “Performance Guarantee” means cash, a letter of credit, a cash bond, a performance bond, or other security acceptable to the City Attorney to secure the Developer’s construction and installation of the Required Improvements, in an amount equal to 125% of the estimated cost of completing said Required Improvements.
- 2.17 “Property” means the land that is known as the Confluent Park major subdivision and described as Lots 1-4 of the Confluent Park Minor Subdivision as recorded at Reception No. 456722 at the Chaffee County Recorder’s Office.
- 2.18 “Public Improvements” means Required Improvements constructed and installed by the Developer and dedicated to the City in accordance with this Agreement, including without limitation water mains, water service lines, water laterals, fire hydrants, and other water distribution facilities; irrigation lines and facilities; wastewater collection mains, lines,

laterals, and related improvements; drainage facilities in public rights-of-way; handicap ramp improvements; and required curbs, sidewalks, and street improvements. The Required Improvements that are also Public Improvements are identified on attached **Exhibit A**.

- 2.19 “Public Improvements Warranty Period” means a period of one year from the date that the City Engineer or the City Engineer’s designee, in accordance with the terms and conditions of paragraph 5.10 below, approves the Public Improvements and certifies their compliance with approved specifications.
- 2.20 “Reimbursable Costs and Fees” means all fees and costs incurred by the City in connection with the City’s processing and review of the proposed Development Plan and the Subdivision Plats; and the City’s drafting, review, and execution of this Agreement as described in **Exhibit A**.
- 2.21 “Required Improvements” means the public and other improvements that the Developer is required to make to the Property as part of the annexation and subdivision approvals and pursuant to this Agreement, including without limitation improvements for streets, landscaping, parks, trails, drainage improvements, sidewalks, and utilities.
- 2.22 “Subdivision Plat” means the Confluent Park major subdivision of the Property approved by Resolution No. 2020-24.
- 2.23 “Water Facilities” means the water main, service line, and all other appurtenances and necessary components of the water distribution system to be constructed by the Developer to extend City water service to the Property.

Any term that is defined in the Land Use Code or the City Code but not defined in this Agreement takes the meaning given to that term in the Land Use Code or the City Code.

### **Section 3 – Purpose of Agreement and Binding Effect**

- 3.1 Contractual Relationship. The purpose of this Agreement is to establish a contractual relationship between the City and the Developer with respect to the Required Improvements for the Property and the provision of inclusionary housing. The terms, conditions, and obligations described herein are contractual obligations of the Parties, and the Developer waives any objection to the enforcement of the terms of this Agreement as contractual obligations.
- 3.2 Binding Agreement. This Agreement benefits and is binding upon the City, the Developer, and the Developer’s successor(s). The Developer’s obligations under this Agreement constitute a covenant running with the Property.
- 3.3. Reservation. To the extent that the City becomes aware of new information about the Property, and notwithstanding anything to the contrary herein, the City reserves the right

to require new terms, conditions, or obligations with respect to the Required Improvements for the Property.

#### **Section 4 – Development of Property**

- 4.1 The City agrees to the Development of the Property, and the Developer agrees that it will Develop the Property, only in accordance with the terms and conditions of this Agreement and all requirements of the City Code; the Confluent Park Planned Development Ordinance 2020-01 and major subdivision Resolution No. 2020-24 and all other applicable laws and regulations, including without limitation all City Ordinances and regulations, all State statutes and regulations, and all Federal laws and regulations.
- 4.2 The approval of the major subdivision by the City Council on July 7, 2020 constitutes approval of the site specific development plan and establishment of vested property rights for the project per Section 16-2-20 of the Code. An established vested property right precludes any zoning or land use action by the City or pursuant to an initiated measure which would alter, impair, prevent, diminish, impose a moratorium on development, or otherwise delay the development or use of the property as set forth in the approved site specific development plan.

#### **Section 5 – Terms and Conditions for Development of Property**

- 5.1 Other Applicable Laws and Regulations. All terms and conditions imposed by this Agreement are in addition to and not in place of any and all requirements of the City Code; the Confluent Park Planned Development Ordinance 2020-01; Resolution No. 2020-24 and all other applicable laws and regulations, including without limitation all City Ordinances and regulations, all State statutes and regulations, and all Federal laws and regulations.
- 5.2 Term of Vested Property Rights. Pursuant to Section 16-2-20(f)(2) of the Code the city is authorized to extend the term for vested property rights beyond three (3) years from the date of approval of the site specific development plan if warranted for reasons such as the size and phasing of the development. The term of the vested property rights for the Confluent Park major subdivision shall be three (3) years from the approval of this agreement.
- 5.3 Submittals to and Approvals by City Administrator. Unless this Agreement specifically provides to the contrary, all submittals to the City in connection with this Agreement must be made to the City Administrator. In addition, unless this Agreement specifically provides to the contrary, the City Administrator and/or City Council must provide all approvals required of the City in connection with this Agreement.
- 5.4 Required Improvements. Attached **Exhibit A**, which is incorporated herein by this reference, provides a detailed list of the Required Improvements for which the Developer is responsible, along with the reasonably estimated costs to complete construction and installation of those Required Improvements, including both labor and materials. The

Required Improvements must be designed, built, and installed in conformity with the City's Public Works Manual and the City's Standard Specifications for Construction ("Standard Specifications"), and must be designed and approved by a registered professional engineer retained by the Developer. Before the Developer's commencement of construction or installation of the Required Improvements, the City Engineer or the City Engineer's designee must review and approve the drawings and plans for such improvements, which drawings and plans must be stamped by the engineer retained by the Developer. In addition to warranting the Required Improvements as described in paragraph 5.10 below, the Developer shall perform routine maintenance on the Public Improvements for the duration of the Public Improvements Warranty Period and on the other Required Improvements for the duration of the Other Required Improvements Warranty Period.

- 5.5 Construction Standards. The Developer shall ensure that all construction is performed in accordance with this Agreement and with the City's rules, regulations, requirements, and criteria, and with industry standards governing such construction.
- 5.6 Observation of Development and Inspection of Required Improvements. The City may observe all Development on the Property, and may inspect and test each component of the Required Improvements. Consistent with Section 16-2-20(r) of the Land Use Code, the Developer shall reimburse the City for all costs associated with the City's observation of Development on the Property and inspection of the Required Improvements, and the City shall not give its written approval of the Required Improvements, as described in paragraph 5.7 below, until such costs have been reimbursed. Such observation and inspection may occur at any point before, during, or upon completion of construction.
- 5.7 City Engineer's Written Approval of Required Improvements. At the Developer's request, the City Engineer or the City Engineer's designee shall inspect the Required Improvements to ascertain whether they have been completed in conformity with the approved plans and specifications. The City Engineer or the City Engineer's designee shall confirm in writing the date(s) on which (i) individual Required Improvements have been completed in conformity with the approved plans and specifications, and (ii) all Public Improvements have been completed in conformity with the approved plans and specifications. The Developer shall make all corrections necessary to bring the Required Improvements into conformity with the approved plans and specifications.
- 5.8 Performance Guarantee. Before commencement of any further construction on the Required Improvements, the Developer shall furnish the City with an effective Performance Guarantee in the amount of 125% of the total estimated cost of completing each phase of the Required Improvements, as shown on **Exhibit A**. The total estimated cost of completing every phase of the Required Improvements, including both labor and materials, is \$1,682,360. Therefore, the Performance Guarantee for Phase 1 must be in an amount equal to \$982,162.50; the Performance Guarantee for Phase 2 must be in an amount equal to \$539,042.50 and the Performance Guarantee for Phase 3 must be in an amount equal to \$581,745.00.

- 5.8.1 The Performance Guarantee must provide for payment to the City upon demand, based upon the City's written certified statement that the Developer has failed to construct, install, maintain, or repair, as required by this Agreement, any of the Required Improvements.
- 5.8.2 The Developer shall extend or replace the Performance Guarantee at least thirty days prior to its expiration. In the event that the Performance Guarantee expires, or the entity issuing the Performance Guarantee becomes non-qualifying, or the City reasonably determines that the cost of completing the Required Improvements is greater than the amount of the Performance Guarantee, then the City shall give written notice to the Developer of the deficiency, and within thirty days of receipt of such notice, the Developer shall provide the City an increased or substituted Performance Guarantee that meets the requirements of this paragraph 5.8 and the Land Use Code.
- 5.8.3 Upon completion of portions of the Required Improvements ("Completed Improvements"), the Developer may apply to the City for a release of part of the Performance Guarantee. Any such application must include submittal of as-built drawings and a detailed cost breakdown of the Completed Improvements. Upon the City Engineer's inspection and written approval of the Completed Improvements in accordance with paragraph 5.6 above, and upon approval of the City Council, the City may authorize a release of the Performance Guarantee in the amount of 75% of the documented cost of the Completed Improvements.
- 5.8.4 Upon the City Engineer's inspection and written approval of all Required Improvements in each Phase in accordance with paragraph 5.7 above, City Council shall authorize a release of the Performance Guarantee in the amount of 90% of the total estimated cost of all Required Improvements, as shown on **Exhibit A**.
- 5.8.5 Upon the expiration of both the Public Improvements Warranty Period and the Other Required Improvements Warranty Period described in paragraph 5.9 below, the Developer's correction of all defects discovered during such periods, and the City's final acceptance of the Public Improvements in that phase in accordance with paragraph 5.10 below, City Council shall authorize a full release of the Performance Guarantee.
- 5.8.6 Failure to provide or maintain the Performance Guarantee in compliance with this paragraph 5.8 will constitute an event of default by the Developer under this Agreement. Such default will be subject to the remedies, terms, and conditions listed in Section 8 below, including without limitation the City's suspension of all activities, approvals, and permitting related to the Subdivision Plats.
- 5.9 Conveyance of Public Improvements. Within twenty-eight days of the City's final acceptance of the Public Improvements in accordance with paragraph 5.10 below, the Developer shall, at no cost to the City, do the following:

- 5.9.1 Execute and deliver to the City a good and sufficient bill of sale describing all of the Public Improvements constructed, connected, and installed by the Developer pursuant to this Agreement, together with all personal property relating to the Public Improvements (“Bill of Sale”). In the Bill of Sale, the Developer shall warrant the conveyance of the Public Improvements as free from any claim, demand, security interest, lien, or encumbrance whatsoever. Pursuant to Section 16-2-60(j) of the Land Use Code, acceptance of the Bill of Sale must be authorized by City Council.
- 5.9.2 Execute and deliver to the City a good and sufficient General Warranty Deed conveying to the City, free and clear of liens and encumbrances, all easements necessary for the operation and maintenance of the Public Improvements to the extent the Public Improvements are not constructed within dedicated easements or rights-of-way as shown on the Confluent Park major subdivision recorded at Reception No. \_\_\_\_\_.
- 5.9.3 Deliver to the City all engineering designs, current surveys, current field surveys, and as-built drawings and operation manuals for the Public Improvements and for all improvements made for utilities, or make reasonable provision for the same to be delivered to the City. The legal description of all utility service lines must be prepared by a registered land surveyor at the Developer’s sole expense.
- 5.10 Warranty. The Developer shall warrant the Public Improvements for one year from the date that the City Engineer, in accordance with paragraph 5.7 above, approves the Public Improvements and certifies their compliance with approved specifications (“Public Improvements Warranty Period”). The Developer shall warrant all other Required Improvements for a period of two years from the date that the City Engineer, in accordance with paragraph 5.6 above, approves the other Required Improvements and certifies their compliance with approved specifications (“Other Required Improvements Warranty Period”). In the event of any defect in workmanship or quality during the Public Improvements Warranty Period or the Other Required Improvements Warranty Period, the Developer shall correct the defect in workmanship or material. In the event that any corrective work is performed by the Developer during either Warranty Period, the warranty on said corrected work will be extended for one year from the date on which it is completed. Should the Developer default in its obligation to correct any defect in workmanship or material during either the Public Improvements Warranty Period or the Other Required Improvements Warranty Period, the City will be entitled to draw on the Performance Guarantee and/or to pursue any other remedy described in Section 8 below.
- 5.11 Final Acceptance of Public Improvements. Upon expiration of the Public Improvements Warranty Period, and provided that any breaches of warranty have been cured and any defects in workmanship and/or materials have been corrected, the City shall issue its final written acceptance of the Public Improvements. Thereafter, the City shall maintain such Public Improvements.

- 5.12 Inspection Distinguished from Approval. Inspection, acquiescence, and/or verbal approval by any City official of the Development, at any particular time, will not constitute the City's approval of the Required Improvements as required hereunder. Such written approval will be given by the City only in accordance with paragraph 5.7 above.
- 5.13 Revegetation. Any area disturbed by construction must be promptly revegetated with Native Vegetation following completion of such work unless a building permit application has been requested for such area. In addition, the Developer shall control all Noxious Weeds within such area to the reasonable satisfaction of the City.
- 5.14 Local Utilities. In addition to the Required Improvements, the Developer shall install service lines for both on-site and off-site local utilities necessary to serve the Property, including without limitation service lines for telephone, electricity, natural gas, cable television, and street lights. The Developer shall install such service lines underground to the maximum extent feasible. If such lines are placed in a street or alley, they must be in place prior to surfacing.
- 5.15 Landscape Improvements. Other Required Improvements are landscape improvements consisting of right of way and parkway landscaping in accordance with the requirements of the approved landscape improvement plan for the Subdivision and the requirements of Section 16-8-90 of the Land Use Code. The Developer or homeowner's association shall be responsible for the Other Required Improvements Warranty Period.
- 5.16 Drainage Improvements. As shown on **Exhibit A**, certain of the Required Improvements are drainage improvements.
- 5.16.1 In accordance with Section 16-8-60 of the Land Use Code, the Developer shall retain a registered professional engineer to prepare a drainage study of the Property and to design a Drainage Plan according to generally accepted storm drainage practices. The Drainage Plan must conform to the City's flood control regulations, as given in Article XI of the Land Use Code, and must be reviewed and approved in writing by the City Engineer before commencement of Development activities, including overlot grading.
- 5.16.2 All site drainage, including drainage from roof drains, must be properly detained and diverted to the drainage system approved in the Drainage Plan before any certificate of occupancy will be issued for the Property.
- 5.16.3 All drainage improvements within public rights-of-way will be dedicated to the City as Public Improvements. All drainage improvements on private property will be maintained by the Developer, subject to easements to allow the City access in the event that the Developer fails to adequately maintain the drainage facilities.

- 5.17 Slope Stabilization. Any slope stabilization work must be performed in strict compliance with applicable law, including City Ordinances and regulations, State statutes and regulations, and Federal law and regulations. The City will determine on a case-by-case basis whether additional requirements apply to slope stabilization work.
- 5.18 Blasting and Excavation. Any removal of rock or other materials from the Property by blasting, excavation, or other means must be performed in strict compliance with applicable law, including City Ordinances and regulations, State statutes and regulations, and Federal law and regulations. The City will determine on a case-by-case basis whether additional requirements apply to blasting and excavation work.
- 5.19 Trash, Debris, and Erosion. During Development, the Developer shall take all necessary steps to control trash, debris, and erosion (whether from wind or water) on the Property. The Developer also shall take all necessary steps to prevent the transfer of mud or debris from construction sites on the Property onto public rights-of-way. If the City reasonably determines and gives the Developer written notice that such trash, debris, or erosion causes or is likely to cause damage or injury, or creates a nuisance, the Developer shall correct any actual or potential damage or injury and/or abate such nuisance within five working days of receiving such written notice. When, in the opinion of the City Administrator or Chief of Police, a nuisance constitutes an immediate and serious danger to the public health, safety, or welfare, or in the case of any nuisance in or upon any street or other public way or public ground in the City, the City has authority to summarily abate the nuisance without notice of any kind consistent with Section 7-1-60 of the City Code. Nothing in this paragraph limits or affects the remedies the City may pursue under Section 8 of this Agreement.
- 5.20 Compliance with Environmental Laws. During Development, the Developer shall comply with all Federal and State environmental protection and anti-pollution laws, rules, regulations, orders, or requirements, including without limitation solid waste requirements and all requirements under the Federal Water Pollution Control Act, as amended (“Clean Water Act”); and shall comply with all requirements pertaining to the disposal or existence of any hazardous substances, pollutants, or contaminants as defined by the Comprehensive Environmental Response Compensation and Liability Act of 1980, as amended, and regulations promulgated thereunder.
- 5.21 Fees. The Developer shall pay to the City the fees described below at the time set forth below:
- 5.21.1 Developer’s reimbursement of processing fees. Consistent with Sections 16-2-10 and 16-2-60(r) of the Land Use Code, the Developer shall reimburse the City for all fees and costs incurred by the City in connection with the City’s processing and review of the proposed Subdivision Plats, including without limitation processing and review of the Zoning and Subdivision Applications and supporting documentation, and the City’s drafting, review, and execution of this Agreement (“Reimbursable Costs and Fees”). The Reimbursable Costs and Fees include but

are not limited to the City's costs incurred for engineering, surveying, and legal services, including the services of outside City consultants and/or counsel; recording fees; printing and publication costs; and any and all other costs incurred by the City.

- 5.21.2 Work by City staff other than City Attorney. Reimbursable Costs and Fees attributable to work completed by City staff, not including the City Attorney, will be determined based on the fee schedule attached to the City's then-effective Open Records Policy. The fee schedule attached to the Open Records Policy in effect as of the date of this Agreement is attached as **Exhibit B**.
- 5.21.3 Work by City Attorney. Reimbursable Costs and Fees attributable to work completed by the City Attorney or by the City's outside consultants and/or counsel will be equal to the actual costs and fees billed to and paid by the City for that work.
- 5.21.4 Amounts due and unpaid. Interest will be imposed at rate of 1.5% per month on all balances not paid to the City within 30 days of the effective date of the City's invoicing of the Developer for the Reimbursable Costs and Fees, with that effective date determined in accordance with the notice provisions of paragraph 11.6 below. In addition to any and all remedies available to the City and in the event the City is forced to pursue collection of any amounts due and unpaid under this provision or under this Agreement, the City shall be entitled to collect attorneys' fees and costs incurred in said collection efforts in addition to the amount due and unpaid.
- 5.21.5 Currently existing fees. Payment of Currently Existing Fees as a Condition of Development. The Developer shall pay to the City any fees required to be paid under this Agreement or the currently existing City Code, regardless of whether the relevant provisions of the City Code are later amended, repealed, or declared to be invalid. Payment of such fees pursuant to this Agreement is agreed to by and between the Parties as a condition of the Development. The Developer further agrees not to contest any Ordinance imposing such fees as they pertain to the Property.

## **Section 6 – Construction Schedule**

- 6.1 Construction Schedule. Attached **Exhibit C**, which is incorporated herein by this reference, provides the schedule according to which construction and installation of the Required Improvements will occur ("Construction Schedule"). If the Developer fails to commence or to complete any phase of construction and installation of the Required Improvements in compliance with the Construction Schedule, the City will take action in accordance with Section 16-2-60(e) of the Land Use Code.
- 6.2 Site Restoration. If the Developer fails to commence or complete construction and installation of the Required Improvements in accordance with the Construction Schedule, the Developer nonetheless shall complete all site restoration work necessary to protect the health, safety, and welfare of the City's residents and the aesthetic integrity of the Property

(“Site Restoration Improvements”). Site Restoration Improvements will include, at minimum, all excavation reclamation, slope stabilization, and landscaping improvements identified as Required Improvements on **Exhibit A**.

- 6.3 Force Majeure. If the Developer fails to commence or complete construction and installation of the Required Improvements in accordance with the Construction Schedule due to Force Majeure, the City shall extend the time for completion by a reasonable period. In such an event, the City and the Developer shall amend the Construction Schedule in writing to memorialize such extension(s).

### **Section 7 – Cost Recovery for Water Facilities**

- 7.1 Pursuant to City Code Sections 13-2-160, the Developer shall be entitled to recover costs associated with construction of a portion of the Water Facilities, the extension of the water main necessary to extend City water service to the Property. The recovery costs associated with this Agreement will be determined by the following formula:

Reimbursement Cost =  $(C/P/2)F$ , where

C = total cost of water main extension with hydrants (\$62,440);

P = linear feet of pipe extended (709 feet); and

F = linear feet of adjacent lot frontage (1,257 feet per **Exhibit D**).

The total cost of the water main extension therefore will be divided by the total length of the pipe to determine a cost per linear foot. One half of this linear foot cost will be assigned to those properties on each side of the pipe extension in direct proportion to the amount of lot frontage these properties share with the extension.

The reimbursement costs will be allocated to any lot or parcel adjacent to the water main extension that taps into this extension (**Exhibit D**).

- 7.2 A part of the Water Facilities to be installed in Scott Street includes a Pressure Reducing Valve (PRV) that serves the subject site and other parcels (“Contributing Properties”) in the vicinity as shown in **Exhibit E**. The Confluent Park minimum share shall be \$67,914.57. Staff will recommend conditions be attached to any future annexations or public land use actions in the City to increase the development levels above the Approved status for contributing properties to require reimbursements in the amounts shown in **Exhibit E** and to be collected as described below.
- 7.3 The City shall provide written notice to the Developer of any application submitted to the City for connection to the Water Facilities, which applications will trigger recovery from a current or subsequent owner of property benefitted by said Water Facilities. The City will require recovery in the form of a system development fee surcharge from the current or subsequent owner of property benefitted by the Water Facilities as a condition of any future water service connection to said Water Facilities.

- 7.4 Recovery from current or subsequent owners of property benefitted by the Water Facilities will be limited to those properties that receive approval from the City for any application to connect to the Water or Wastewater Facilities within ten years of the date of this Agreement.
- 7.5 Nothing in this Agreement is to be construed as a commitment of financial liability to the Developer or of the City's required collection or payment of the amount claimed for recovery through participation of a subsequent owner; the City is merely agreeing to facilitate an acceptable approach for subsequent owners' participation in public improvement costs.

### **Section 8 – Inclusionary Housing**

- 8.1 Agreement to Provide Affordable Housing Consistent with Article XIII of the Land Use Code within Confluent Park. Per the conditions of Ordinance 2020-01, Developer hereby agrees to provide affordable housing units within the project and be afforded the revised standards as described below:
- 8.1.1. Lot 1 shall be legally restricted for up to 60 affordable rental apartments for households earning 60% or less of the Area Median Income (AMI) for Chaffee County as defined by the Colorado Housing Finance Authority (CHFA).
- 8.1.2. Upon issuance of a building permit for Lot 1 in conformance with the above requirements, credit for affordable units greater than 37 may be used to meet the affordable housing requirements for residential development within the Angel View Minor Subdivision recorded at Reception No. 428085. If this equals 100% or greater of the required affordable housing for the build-out of Angel View, the project will be afforded additional density only for R-3 as defined by Section 16-13-50. These provisions shall be defined by separate agreement for Angel View project.
- 8.1.3 If residential building permits are issued within Angel View or Confluent Park prior to issuance of building permits within Lot 1, then developer shall submit the inclusionary housing in-lieu fee for said units, to be held in escrow until construction begins on Lot 1.
- 8.1.4 Development Standards shall be as adopted in the Narrative and Planned Development Site Plan for Confluent Park (Exhibit B of Ordinance 2020-01).

### **Section 9 – Default by Developer and City's Remedies**

- 9.1 City's Remedies on Developer's Default. In the event of the Developer's default with respect to any term or condition of this Agreement, the City may take any action necessary or appropriate to enforce its rights, including without limitation any or all of the following:

- 9.1.1 The refusal to issue any building permit or certificate of occupancy to the Developer.
  - 9.1.2 The revocation of any building permit previously issued and under which construction directly related to such building permit has not commenced; provided, however, that this remedy will not apply to a third party.
  - 9.1.3 Suspension of all further activities, approvals, and permitting related to the Planned Development and the Subdivision Plats.
  - 9.1.4 A demand that the Performance Guarantee be paid or honored.
  - 9.1.5 Any other remedy available in equity or at law.
- 9.2 Notice of Default. Before taking remedial action hereunder, the City shall give written notice to the Developer of the nature of the default and an opportunity to be heard before the City Council concerning such default. No sooner than thirty days after the Developer's receipt of the notice or any hearing before City Council, whichever occurs later, the City may take any and all remedial action consistent with this Agreement, the City Code, and the Land Use Code.
- 9.3 Immediate Damages on Developer's Default. The Developer recognizes that the City may suffer immediate damages from a default. In the event of such immediate damages resulting from the Developer's default with respect to any term or condition of this Agreement, the City may seek an injunction to enforce its rights hereunder.
- 9.4 Jurisdiction and Venue. The District Court of the County of Chaffee, State of Colorado, will have exclusive jurisdiction to resolve any dispute over this Agreement.
- 9.5 Waiver. Any waiver by the City of one or more terms of this Agreement will not constitute, and is not to be construed as constituting, a waiver of other terms. A waiver of any provision of this Agreement in any one instance will not constitute, and is not to be construed as constituting, a waiver of such provision in other instances. Nothing herein allows the City to waive any provision of the City Code or Land Use Code.
- 9.6 Cumulative Remedies. Each remedy provided for in this Agreement is cumulative and is in addition to every other remedy provided for in this Agreement or otherwise existing at law or in equity.

## **Section 10 – Indemnification and Release**

- 10.1 Release of Liability. The Developer acknowledges that the City cannot be legally bound by the representations of any of its officers or agents or their designees except in accordance with the City Code, City Ordinances, and the laws of the State of Colorado. The Developer further acknowledges that it acts at its own risk with respect to relying or acting upon any representation or undertaking by the City or its officers or agents or their

designees. Accordingly, the Developer expressly waives and releases any current or future claims related to or arising from any such representation or undertaking by the City or its officers or agents or their designees.

## 10.2 Indemnification.

10.2.1 The Developer shall indemnify and hold harmless the City, and the City's officers, agents, employees, and their designees, from and against any and all claims, damages, losses, and expenses, including but not limited to attorneys' fees and costs, arising from or in connection with the following: (a) the City's approval of the Planned Development or the Subdivision Plats; (b) acts or omissions by the Developer, its officers, employees, agents, consultants, contractors, or subcontractors in connection with the Planned Development or the Subdivision Plats; (c) the City's required disposal of hazardous substances, pollutants, or contaminants; required cleanup necessitated by leaking underground storage tanks, excavation, and/or backfill of hazardous substances, pollutants, or contaminants; or environmental cleanup responsibilities of any nature whatsoever on, of, or related to the Dedicated Lands; provided that such disposal or cleanup obligations do not arise from any hazardous substance, pollutant, or contaminant generated or deposited by the City upon the Dedicated Lands; (d) any remedial action required of the City as a result of the Developer's violation of the Clean Water Act; or (e) any other item contained in this Agreement.

10.2.2 The Developer shall reimburse the City for all fees, expenses, and costs, including attorneys' fees and costs, incurred in any action brought against the City as a result of the City's approval of the Subdivision Plats; and shall reimburse the City for all fees, expenses, and costs, including attorneys' fees and costs, associated with any proceedings to challenge the City's approval of the Subdivision Plats.

10.2.3 Fees, expenses, and costs attributable to work completed by City staff, not including the City Attorney, will be determined based on the fee schedule attached to the City's then-effective Open Records Policy. The fee schedule attached to the Open Records Policy in effect as of the date of this Agreement is attached as **Exhibit B**.

10.2.4 Fees, expenses, and costs attributable to work completed by the City Attorney or by the City's outside consultants and/or counsel will be equal to the actual costs and fees billed to and paid by the City for that work.

## **Section 11 – Representations and Warranties**

11.1 Developer's Representations and Warranties. The Developer represents and warrants to the City that the following are true and correct as of the date of the Developer's execution of this Agreement and will be true and correct as of the Effective Date:

11.1.1 Authority. This Agreement has been duly authorized and executed by the Developer as a legal, valid, and binding obligation of the Developer, and is

enforceable as to the Developer in accordance with its terms.

- 11.1.2 Authorized signatory. The person executing this Agreement on behalf of the Developer is duly authorized and empowered to execute and deliver this Agreement on behalf of the Developer.
- 11.1.3 No litigation or adverse condition. To the best of the Developer's knowledge, there is no pending or threatened litigation, administrative proceeding, or other claim pending or threatened against the Developer that, if decided or determined adversely, would have a material adverse effect on the ability of the Developer to meet its obligations under this Agreement; nor is there any fact or condition of the Property known to the Developer that may have a material adverse effect on the Developer's ability to Develop the Property as contemplated under the Planned Development or proposed in the Subdivision Plats.
- 11.1.4 Compliance with environmental laws and regulations. To the best of the Developer's knowledge, all property to be dedicated to the City hereunder (both in fee simple and in the form of easements) is in compliance with all Federal and State environmental protection and anti-pollution laws, rules, regulations, orders, or requirements, including solid waste requirements and all requirements under the Clean Water Act; and all such dedicated property is in compliance with all requirements pertaining to the disposal or existence of any hazardous substances, pollutants, or contaminants as defined by the Comprehensive Environmental Response Compensation and Liability Act of 1980, as amended, and regulations promulgated thereunder.
- 11.1.5 No conflict. Neither the execution of this Agreement nor the consummation of the transaction contemplated by this Agreement will constitute a breach under any contract, agreement, or obligation to which the Developer is a party or by which the Developer is bound or affected.
- 11.2 City's Representations and Warranties. The City hereby represents and warrants to the Developer that the following are true and correct as of the date of the City's execution of this Agreement and will be true and correct as of the Effective Date:
  - 11.2.1 Authority. Upon execution, this Agreement will have been duly authorized by City Council as a legal, valid, and binding obligation of the City, and is enforceable as to the City in accordance with its terms.
  - 11.2.2 Authorized signatory. The person executing this Agreement on behalf of the City is duly authorized and empowered to execute this Agreement on behalf of the City.
  - 11.2.3 No adverse condition. To the best of the City's knowledge, there is no fact or condition of the Property known to the City that may have a material adverse effect on the Developer's ability to Develop the Property as contemplated under the Development Plan or as proposed in the Subdivision Plats.

11.2.4 No conflict. Neither the execution of this Agreement nor the consummation of the transaction contemplated by this Agreement will constitute a breach under any contract, agreement, or obligation to which the City is a party or by which the City is bound or affected.

## **Section 12– General Provisions**

- 12.1 Waiver of Defects. In executing this Agreement, the Developer waives all objections it may have to any defects in the form or execution of this Agreement concerning the power of the City to impose conditions on the Developer as set forth herein. The Developer further waives all objections it may have to the procedure, substance, and form of the Ordinances or resolutions adopting this Agreement.
- 12.2 Final Agreement. This Agreement supersedes and controls all prior written and oral agreements and representations of the Parties with respect to a Subdivision Improvement; Confluence Road Water and Sewer Main Extension; and Inclusionary Housing Agreement associated with Development of the Property, and is the total integrated agreement between the Parties with respect to those subjects.
- 12.3 Modifications. This Agreement may be modified only by a subsequent written agreement executed by both Parties.
- 12.4 Voluntary Agreement. The Developer agrees to comply with all of the terms and conditions of this Agreement on a voluntary and contractual basis.
- 12.5 Survival. The City’s and the Developer’s representations, covenants, warranties, and obligations set forth herein, except as they may be fully performed before or on the Effective Date, will survive the Effective Date and are enforceable at law or in equity.
- 12.6 Notice. All notices required under this Agreement must be in writing and must be hand-delivered or sent by registered or certified mail, return receipt requested, postage prepaid, to the addresses of the Parties as set forth below. All notices so given will be considered effective immediately upon hand-delivery, and seventy-two hours after deposit in the United States Mail with the proper address as set forth below. Either Party by notice so given may change the address to which future notices are to be sent.

Notice to the City:

City of Salida  
Attn: City Administrator and City Attorney  
448 East First Street  
Salida, CO 81201

Notice to the Developer: Confluent Park Salida, LLC  
Attn: Walt Harder, Managing Member  
130 W. 2<sup>nd</sup> Street, Suite 1  
Salida, CO 81201

- 12.7 Severability. The terms of this Agreement are severable. If a court of competent jurisdiction finds any provision hereof to be invalid or unenforceable, the remaining terms and conditions of the Agreement will remain in full force and effect.
- 12.8 Recording. The City shall record this Agreement with the Clerk and Recorder of Chaffee County, Colorado, at the Developer's expense. Should any term of this Agreement be severed in accordance with paragraph 12.7 above, the Parties will cooperate to record an amended form of this Agreement evidencing which terms have been severed and which terms remain in full force and effect.
- 12.9 No Third-Party Beneficiaries. Nothing in this Agreement, express or implied, confers or is intended to confer any rights or remedies whatsoever upon any person or entity other than the City or the Developer.
- 12.10 No Waiver of Immunity. Nothing in this Agreement, express or implied, waives or is intended to waive the City's immunity under Colorado State law, including without limitation the Colorado Governmental Immunity Act, C.R.S. §§ 24-10-101 through -120.
- 12.11 Joint Drafting. The Parties acknowledge that this Agreement represents the negotiated terms, conditions, and covenants of the Parties, and that the Party responsible for drafting any such term, condition, or covenant is not to be prejudiced by any presumption, canon of construction, implication, or rule requiring construction or interpretation against the Party drafting the same.
- 12.12 Subject to Annual Appropriation. Any financial obligation of the City arising under this Agreement and payable after the current fiscal year is contingent upon funds for that purpose being annually appropriated, budgeted, and otherwise made available by the City Council in its discretion. Nothing herein creates a multi-year fiscal obligation on behalf of the City.
- 12.13 Exhibits. All schedules, exhibits, and addenda attached to this Agreement and referred to herein are to be deemed to be incorporated into this Agreement and made a part hereof for all purposes.
- 12.14 Counterparts. This Agreement may be executed in multiple counterparts, all of which taken together constitute one and the same document.

WHEREFORE, the parties hereto have executed duplicate originals of this Agreement on the day and year first written above.

**This page intentionally left blank. Signature pages follow.**

CITY OF SALIDA, COLORADO

By:

\_\_\_\_\_  
Mayor PT Wood

ATTEST:

\_\_\_\_\_  
City Clerk/Deputy City Clerk

STATE OF COLORADO    )  
                                          )ss  
COUNTY OF CHAFFEE    )

Acknowledged, subscribed, and sworn to before me this \_\_\_\_ day of \_\_\_\_\_ 2020  
by \_\_\_\_\_, as Mayor, and by \_\_\_\_\_,  
as Clerk, on behalf of the City of Salida, Colorado.

WITNESS my hand and official seal.  
My Commission expires:\_\_\_\_\_.

\_\_\_\_\_  
Notary Public

Confluent Park Salida, LLC

By:

\_\_\_\_\_  
Walt Harder, Managing Member

STATE OF COLORADO    )  
                                          ) ss.  
COUNTY OF CHAFFEE    )

Acknowledged, subscribed, and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 2020 by  
\_\_\_\_\_.

WITNESS my hand and official seal. My Commission expires: \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

# EXHIBIT A

<b>Engineer's Opinion of Probable Cost</b>									
<b>CONFLUENT PARK</b>									
Prepared by: Crabtree Group, Inc.								July 31, 2020	
Owner: Confluent Park Salida, LLC									
Item	Phase 1 Qty	Phase 2 Qty	Phase 3 Qty	Unit	Description	Unit Cost	Phase 1 Total Cost	Phase 2 Total Cost	Phase 3 Total Cost
<b>Streets</b>									
21	65	0	0	LF	Sawcut Asphalt To Provide Clean Edge For Paving	\$ 4.00	\$ 260.00	\$ -	\$ -
22	101	0	0	SY	Remove & Dispose of Existing (Sawcut) Asphalt	\$ 4.00	\$ 404.00	\$ -	\$ -
23	1490	1577	1047	LF	Furnish & Install 30" "Catch" Curb & Gutter	\$ 33.00	\$ 49,170.00	\$ 52,041.00	\$ 34,551.00
24	0	0	2	EA	Construct Curb Opening	\$ 300.00	\$ -	\$ -	\$ 600.00
25	64	30	67	LF	Furnish & Install 4" Wide Concrete Ribbon Gutter	\$ 35.00	\$ 2,240.00	\$ 1,050.00	\$ 2,345.00
26	36	0	0	SY	Furnish & Install 6" Thick Patterned Concrete Crosswalk	\$ 125.00	\$ 4,500.00	\$ -	\$ -
27	2649	2519	2472	SY	Furnish & Install 3" Thick AC Paving Over 6" Class 6 Agg Base	\$ 32.00	\$ 84,768.00	\$ 80,608.00	\$ 79,104.00
28	1684	1189	1047	SY	Furnish & Install 4" Thick Concrete Sidewalk Over 4" Class 6 Agg Base	\$ 70.00	\$ 117,880.00	\$ 83,230.00	\$ 73,290.00
29	8	3	2	EA	Furnish & Install Type 1A ADA Curb Ramp	\$ 2,000.00	\$ 16,000.00	\$ 6,000.00	\$ 4,000.00
30	0	2	1	EA	Furnish & Install Type 2 ADA Curb Ramp	\$ 5,000.00	\$ -	\$ 10,000.00	\$ 5,000.00
31	54	161	27	SY	Furnish & Install Type 1 Concrete Driveway	\$ 85.00	\$ 4,590.00	\$ 13,685.00	\$ 2,295.00
32	744	905	748	SY	Furnish & Install 3" Thick Decorative Rock Planter	\$ 7.00	\$ 5,208.00	\$ 6,335.00	\$ 5,236.00
33	1	1	2	EA	Furnish & Install MUTCD R1-1 "Stop" Sign	\$ 500.00	\$ 500.00	\$ 500.00	\$ 1,000.00
34	2	2	1	EA	Furnish & Install Greenshine NSB Series, Single Davit Solar Street Light And Foundation	\$ 7,500.00	\$ 15,000.00	\$ 15,000.00	\$ 7,500.00
35	1	0	0	EA	Furnish & Install 18" Dia. Nyloplast Drain Basin W/Traffic-Rated Curb Inlet Grate	\$ 4,000.00	\$ 4,000.00	\$ -	\$ -
36	30	0	0	LF	Furnish & Install 8" Diameter ADS N-12 HDPE Drain Pipe	\$ 45.00	\$ 1,350.00	\$ -	\$ -
37	64	64	0	SF	Furnish & Install 12" Thick River Rock Energy Dissipater	\$ 15.00	\$ 960.00	\$ 960.00	\$ -
38	0	960	0	SY	Furnish & Install 6" Class 6 Compacted Aggregate Base Alley/Road	\$ 10.00	\$ -	\$ 9,600.00	\$ -
39	2	0	10	SY	Furnish & Install Concrete Spandrel	\$ 120.00	\$ 240.00	\$ -	\$ 1,200.00
						<b>Subtotal</b>	<b>\$ 307,070.00</b>	<b>\$ 279,009.00</b>	<b>\$ 216,121.00</b>
<b>Sewer</b>									
50	1	0	0	EA	Furnish & Install 48" Diameter Manhole in existing 24" trunk main	\$ 6,000.00	\$ 6,000.00	\$ -	\$ -
51	7	1	3	EA	Furnish & Install 48" Diameter Manhole	\$ 4,500.00	\$ 31,500.00	\$ 4,500.00	\$ 13,500.00
52	1416	225	0	LF	Furnish & Install 8" Diameter PVC Sewer Main	\$ 65.00	\$ 92,040.00	\$ 14,625.00	\$ -
53	24	0	817	LF	Furnish & Install 15" Diameter PVC Sewer Main	\$ 85.00	\$ 2,040.00	\$ -	\$ 69,445.00
54	1	15	11	EA	Furnish & Install 4" Diameter PVC Sewer Service At 2%	\$ 1,200.00	\$ 1,200.00	\$ 18,000.00	\$ 13,200.00
55	212	80	59	LF	Furnish & Install 6" Diameter PVC Sewer Service	\$ 50.00	\$ 10,600.00	\$ 4,000.00	\$ 2,950.00
56	20	0	0	LF	Furnish & Install concrete encasement	\$ 40.00	\$ 800.00	\$ -	\$ -
						<b>Subtotal</b>	<b>\$ 144,180.00</b>	<b>\$ 41,125.00</b>	<b>\$ 99,095.00</b>
<b>Water (On Site)</b>									
61	2	0	1	EA	Verify Top Of Pipe Elevation By "Pothole" Method	\$ 500.00	\$ 1,000.00	\$ -	\$ 500.00
62	2	0	1	EA	Connect To Existing Water Main With Appropriate Appurtenances	\$ 2,000.00	\$ 4,000.00	\$ -	\$ 2,000.00
63	2	0	1	EA	Furnish & Install 12" X 8" Tee	\$ 1,200.00	\$ 2,400.00	\$ -	\$ 1,200.00
64	979	765	1333	LF	Furnish & Install 8" Diameter PVC Water Main	\$ 60.00	\$ 58,740.00	\$ 45,900.00	\$ 79,980.00
65	3	4	5	EA	Furnish & Install 8" Gate Valve with box and concrete collar	\$ 1,200.00	\$ 3,600.00	\$ 4,800.00	\$ 6,000.00
66	1	2	4	EA	Furnish & Install 8" X 8" Tee	\$ 1,000.00	\$ 1,000.00	\$ 2,000.00	\$ 4,000.00
67	3	2	2	EA	Furnish & Install 6" Fire Hydrant Assembly	\$ 6,500.00	\$ 19,500.00	\$ 13,000.00	\$ 13,000.00
68	1	2	2	EA	Furnish & Install 8" Plug	\$ 800.00	\$ 800.00	\$ 1,600.00	\$ 1,600.00
69	0	1	3	EA	Furnish & Install 8" X 22.5 Degree Bend	\$ 800.00	\$ -	\$ 800.00	\$ 2,400.00
70	1	6	8	EA	Furnish & Install 3/4" edge lot duplex water service tap assembly	\$ 2,500.00	\$ 2,500.00	\$ 15,000.00	\$ 20,000.00
70A	0	6	0	EA	Furnish & Install 3/4" single water service tap assembly	\$ 1,500.00	\$ -	\$ 9,000.00	\$ -
71	0	3	3	EA	Furnish & Install Duplex Water Service Tap Assembly	\$ 2,500.00	\$ -	\$ 7,500.00	\$ 7,500.00
72	4	1	1	EA	Furnish & Install 4" Water Service Tap Assembly	\$ 3,000.00	\$ 12,000.00	\$ 3,000.00	\$ 3,000.00
73	1	0	0	EA	Furnish & Install 6" Water Service Tap Assembly	\$ 3,500.00	\$ 3,500.00	\$ -	\$ -
						<b>Subtotal</b>	<b>\$ 109,040.00</b>	<b>\$ 102,600.00</b>	<b>\$ 141,180.00</b>
<b>Water (Scott Street, 100% Reimbursable based on property frontage)</b>									
74	2			EA	Verify Top Of Pipe Elevation By "Pothole" Method	\$ 500.00	\$ 1,000.00	\$ -	\$ -
75	2			EA	Connect To Existing Water Main With Appropriate Appurtenances	\$ 1,000.00	\$ 2,000.00	\$ -	\$ -
76	709			LF	Furnish & Install 8" Diameter PVC Water Main	\$ 60.00	\$ 42,540.00	\$ -	\$ -
77	4			EA	Furnish & Install 8" Gate Valve with box and concrete collar	\$ 1,200.00	\$ 4,800.00	\$ -	\$ -
78	4			EA	Furnish & Install 8" X 8" Tee	\$ 1,000.00	\$ 4,000.00	\$ -	\$ -
79	1			EA	Furnish & Install 6" Fire Hydrant Assembly	\$ 6,500.00	\$ 6,500.00	\$ -	\$ -
80	2			EA	Furnish & Install 8" Plug	\$ 800.00	\$ 1,600.00	\$ -	\$ -
81	193			SY	Furnish & Install Asphalt Patch	\$ 50.00	\$ 9,650.00	\$ -	\$ -
82	2			EA	Furnish & Install 8" X 90 Degree Bend	\$ 800.00	\$ 1,600.00	\$ -	\$ -
						<b>Subtotal</b>	<b>\$ 62,440.00</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Pressure Reducing Valve (PRV), cost share with future development on Vandaveer NE of US Hwy 50, land area basis</b>									
83	1			EA	Furnish & Install PRV/Vault Assembly	\$ 150,000.00	\$ 150,000.00	\$ -	\$ -
						<b>Subtotal</b>	<b>\$ 150,000.00</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Miscellaneous</b>									
84				LS	Stormwater BMP installation, maintenance, permitting		\$ 8,000.00	\$ 5,000.00	\$ 5,000.00
85				LS	Construction Survey		\$ 4,000.00	\$ 3,000.00	\$ 3,000.00
86				LS	Traffic Control		\$ 1,000.00	\$ 500.00	\$ 1,000.00
						<b>Subtotal</b>	<b>\$ 13,000.00</b>	<b>\$ 8,500.00</b>	<b>\$ 9,000.00</b>
							<b>Phase 1</b>	<b>Phase 2</b>	<b>Phase 3</b>
<b>Civil Construction Total</b>							<b>\$ 785,730.00</b>	<b>\$ 431,234.00</b>	<b>\$ 465,396.00</b>
<b>Contingency (25%)</b>							<b>\$ 196,432.50</b>	<b>\$ 107,808.50</b>	<b>\$ 116,349.00</b>
<b>Total with Contingency</b>							<b>\$ 982,162.50</b>	<b>\$ 539,042.50</b>	<b>\$ 581,745.00</b>

**Limitations of Liability:**

- The Crabtree Group, Inc. (CGI) is providing this Engineer's Opinion of Probable Cost (EOPC) at the request of the "Client" with the understanding that CGI is not responsible for project, financing or construction costs as related to this EOPC.
- The unit costs contained in this EOPC are based on recent labor and material costs that may change and vary widely due to economic, site and other conditions.
- The "Client" should obtain more accurate project costs by project specific bids for all project, financing and construction decisions.

## **Open Records Policy – Exhibit B**

### Fee Schedule

Charges must be paid before service is provided.

The City does not allow payment terms on copies or other services in conjunction with open records requests.

The Open Records Act allows \$.25 charge per page when copies are requested and provided, or the actual cost of preparation if the cost is greater. The actual cost may include, but is not limited to, the hourly rate paid to the employee conducting the research, cost of the physical medium of the document (e.g., tape or diskette) and the cost of retrieving the document from off-site storage for inspection.

The first hour of research and retrieval service is free.

Cost per hour for research, retrieval and related services after the first hour:

City Attorney \$30/hr

Assistant City Attorney \$30/hr

Information Services \$30/hr

Department Heads \$30/hr

Supervisor \$30/hr

Non-Supervisory Personnel \$20/hr

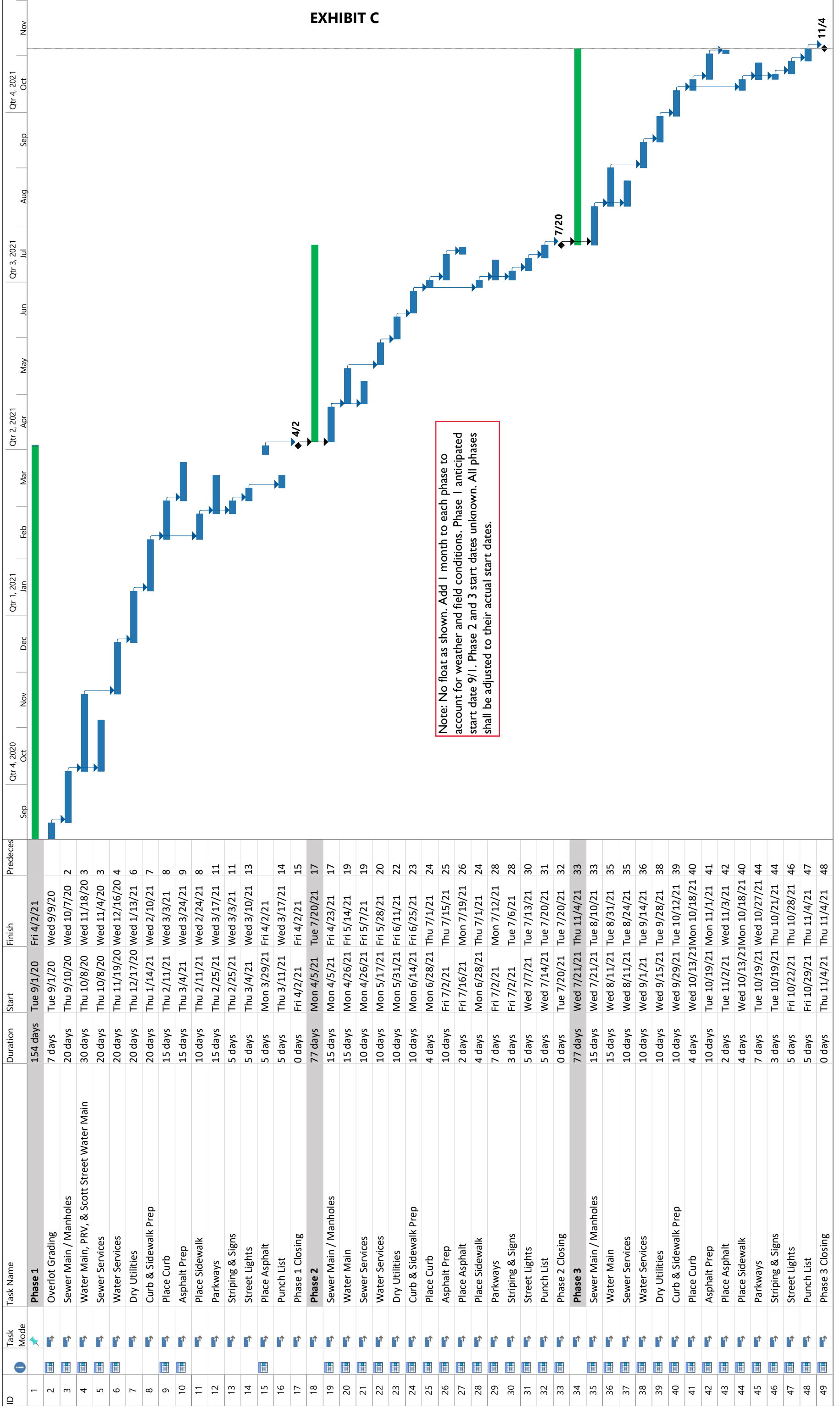
City Mapping \$5/ black & white ink, paper 24" x 36"  
\$10/colored ink, paper 24" x 36"

DVD - \$10

The Department responsible for the record shall provide it to the Clerk so that the Clerk's office may make an appointment with the applicant for inspection within the time frame required.

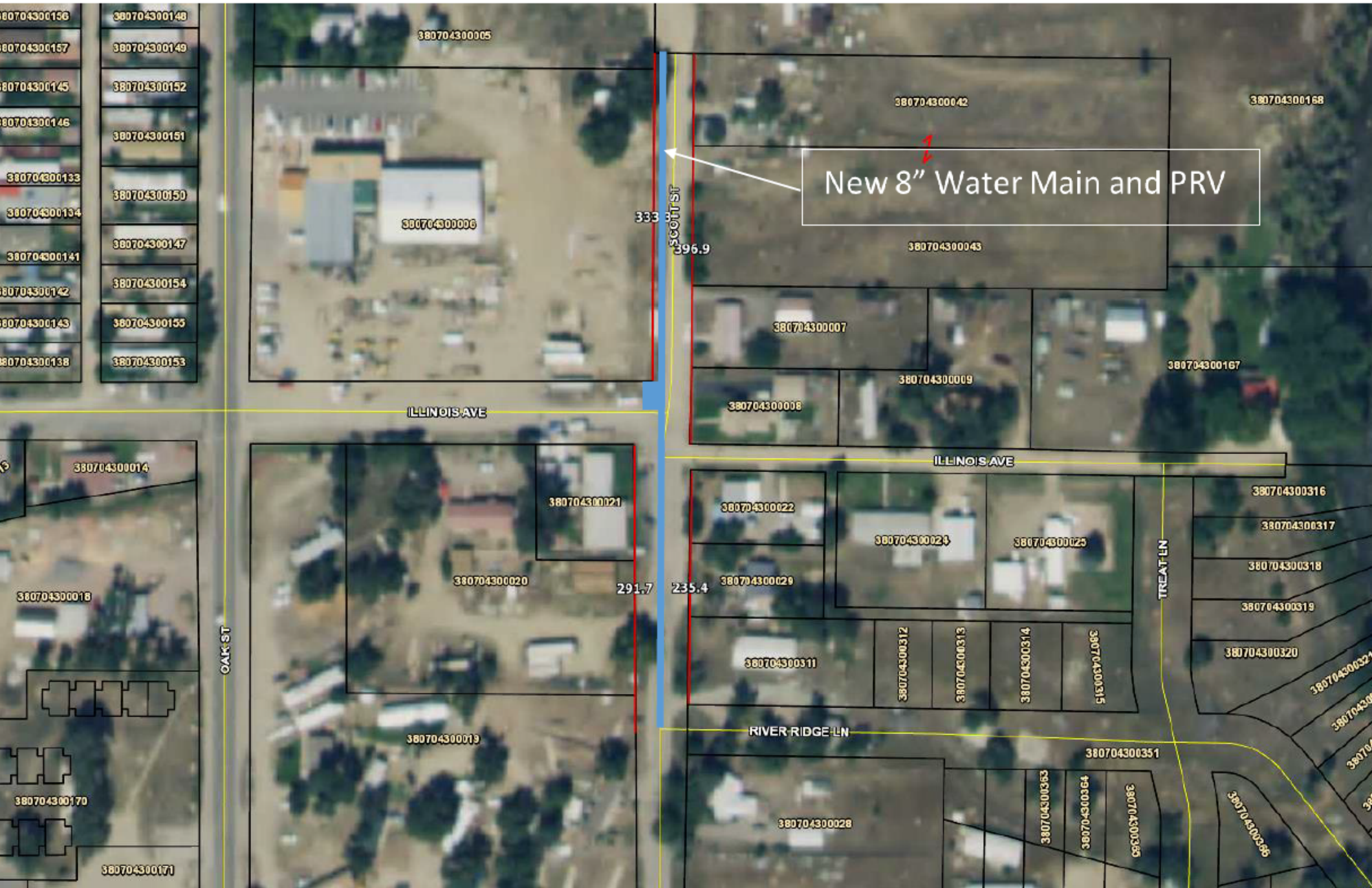
# Confluent Park

## EXHIBIT C



Note: No float as shown. Add 1 month to each phase to account for weather and field conditions. Phase 1 anticipated start date 9/1. Phase 2 and 3 start dates unknown. All phases shall be adjusted to their actual start dates.

EXHIBIT D



# EXHIBIT E

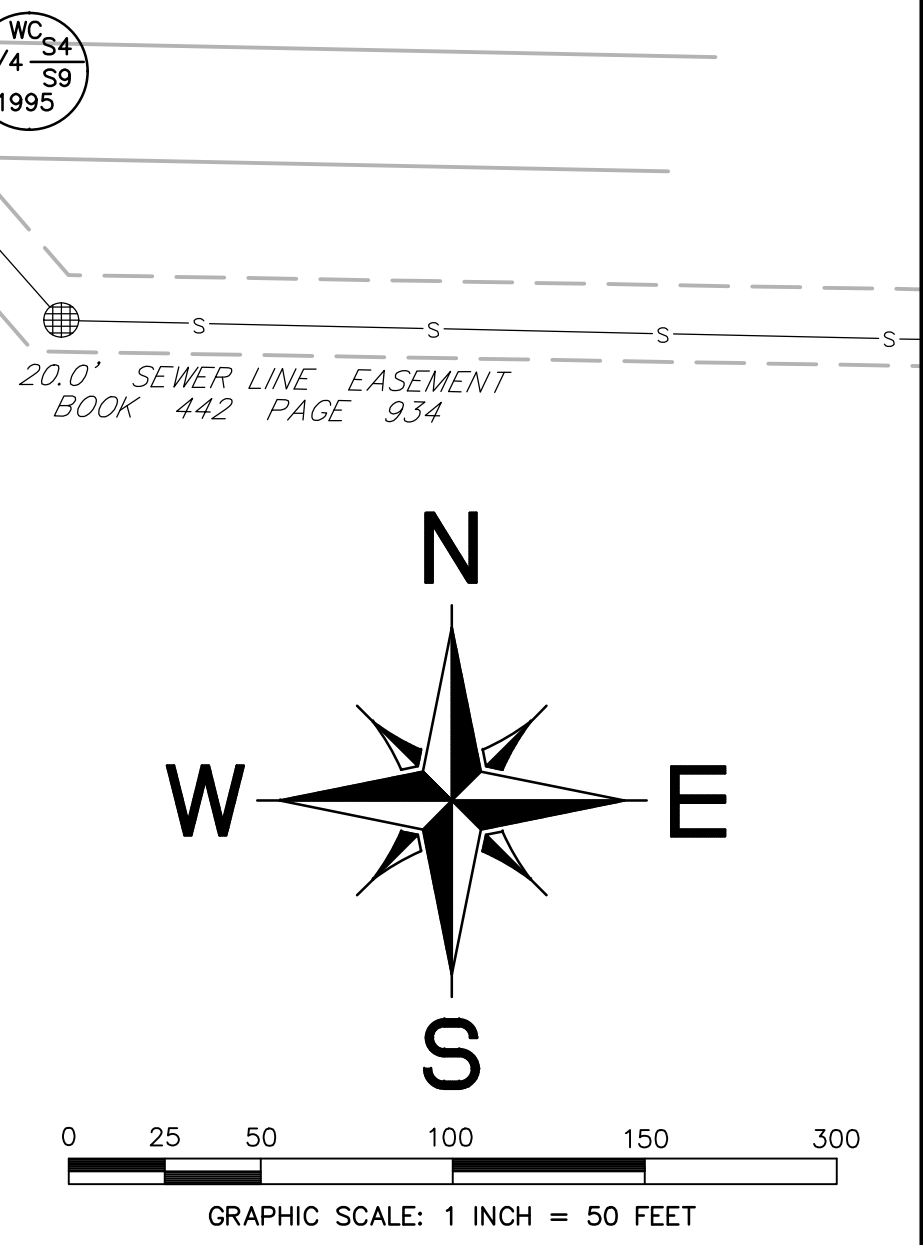
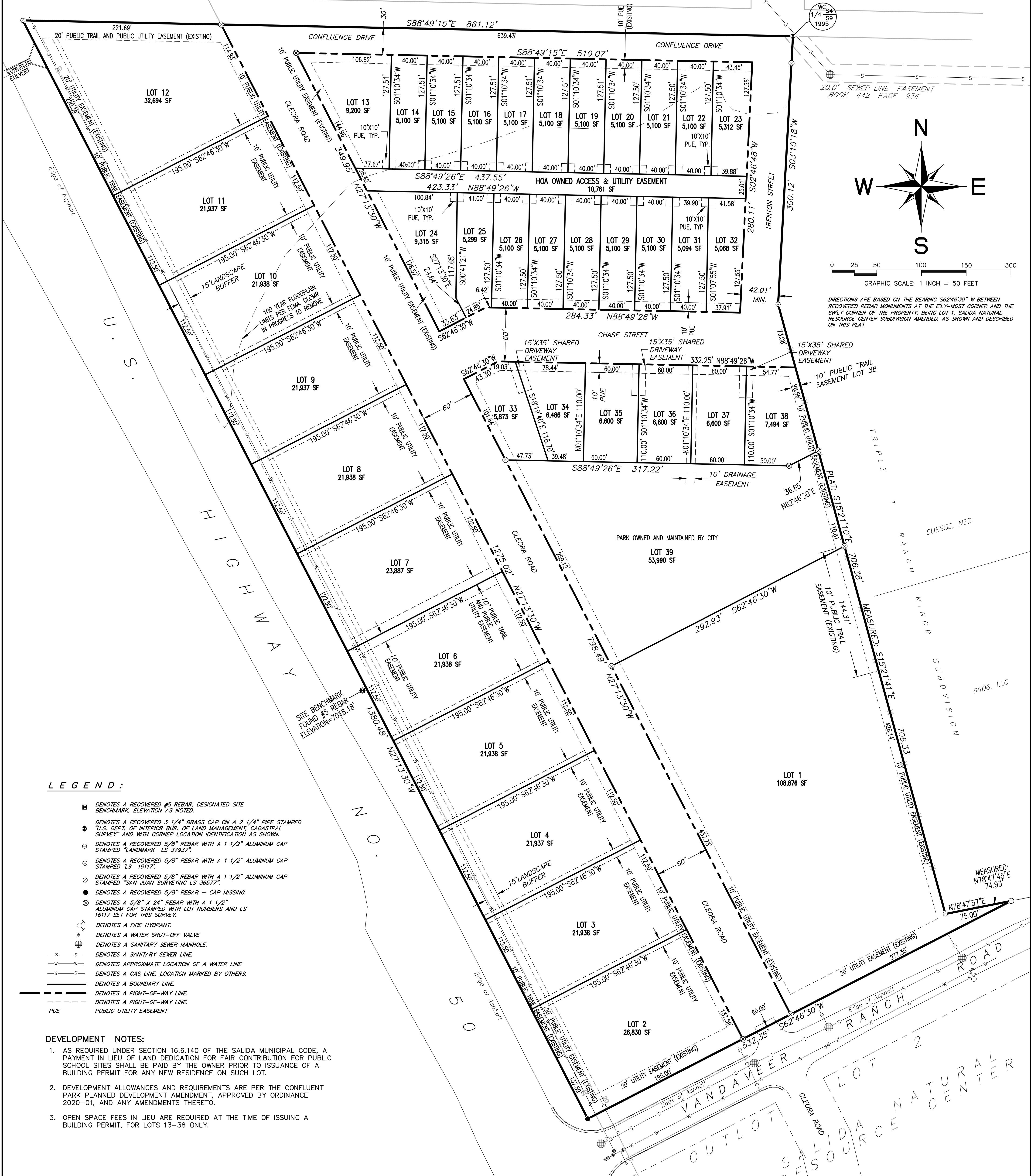
## PRESSURE REDUCING VALVE REIMBURSEMENT FOR SOUTHEAST PLANNING AREA

Parcel	Acres	Approved			Potential			Average Annual Daily Flow					PRV Reimbursement
		SF Units	MF Units	Comm SF	SF Units	MF Units	Comm SF	SF	MF	Comm	Total	%	
Confluent Park	16.3	68	209	125000	68	209	125000	8296.00	19019.00	2638.72	29953.72	45.28%	\$67,914.57
Ned Suesse	5.7				91.2			11126.40			11126.4	16.82%	\$25,227.08
Triple T Ranch	2				32			3904.00			3904	5.90%	\$8,851.61
Vandaveer VPA-4	13.43		125	84462		125	84462		11375.00	1782.97	13157.97	19.89%	\$29,833.29
0014	0.2				1.2			146.40			146.4	0.22%	\$331.94
0036	0.3				1.8			219.60			219.6	0.33%	\$497.90
0037	0.5				3			366.00			366	0.55%	\$829.84
0003	0.8				4.8			585.60			585.6	0.89%	\$1,327.74
0004	1.7				10.2			1244.40			1244.4	1.88%	\$2,821.45
0005	2.95				17.7			2159.40			2159.4	3.26%	\$4,896.04
0006	2	27			27			3294.00			3294	4.98%	\$7,468.54
<b>Total</b>	<b>45.88</b>	<b>68</b>	<b>334</b>	<b>209462</b>	<b>229.9</b>	<b>334</b>	<b>209462</b>	<b>28047.8</b>	<b>30394</b>	<b>4421.69</b>	<b>66157.49</b>	<b>100.00%</b>	<b>\$150,000.00</b>



**CONFLUENT PARK SUBDIVISION**  
 LOCATED WITHIN  
 LOTS 3 AND 4, CONFLUENT PARK MINOR SUBDIVISION  
 IN THE  
 CITY OF SALIDA  
 CHAFFEE COUNTY, COLORADO  
 SHEET 2 OF 2

LOT 5  
 LITTLE RIVER PROPERTIES, LLC SUBDIVISION  
 TWO RIVERS SOUTHSIDE - PENDING




- LEGEND:**
- ⊠ DENOTES A RECOVERED #5 REBAR, DESIGNATED SITE BENCHMARK, ELEVATION AS NOTED.
  - ⊙ DENOTES A RECOVERED 3/4" BRASS CAP ON A 2 1/4" PIPE STAMPED "U.S. DEPT. OF INTERIOR BUR. OF LAND MANAGEMENT, CADASTRAL SURVEY" AND WITH CORNER LOCATION IDENTIFICATION AS SHOWN.
  - ⊙ DENOTES A RECOVERED 5/8" REBAR WITH A 1 1/2" ALUMINUM CAP STAMPED "LANDMARK LS 37937".
  - ⊙ DENOTES A RECOVERED 5/8" REBAR WITH A 1 1/2" ALUMINUM CAP STAMPED "LS 16117".
  - ⊙ DENOTES A RECOVERED 5/8" REBAR WITH A 1 1/2" ALUMINUM CAP STAMPED "SAN JUAN SURVEYING LS 38377".
  - ⊙ DENOTES A RECOVERED 5/8" REBAR - CAP MISSING.
  - ⊙ DENOTES A 5/8" X 24" REBAR WITH A 1 1/2" ALUMINUM CAP STAMPED WITH LOT NUMBERS AND LS 16117 SET FOR THIS SURVEY.
  - ⊙ DENOTES A FIRE HYDRANT.
  - ⊙ DENOTES A WATER SHUT-OFF VALVE.
  - ⊙ DENOTES A SANITARY SEWER MANHOLE.
  - S—S— DENOTES A SANITARY SEWER LINE.
  - W—W— DENOTES APPROXIMATE LOCATION OF A WATER LINE.
  - G—G— DENOTES A GAS LINE, LOCATION MARKED BY OTHERS.
  - DENOTES A BOUNDARY LINE.
  - DENOTES A RIGHT-OF-WAY LINE.
  - DENOTES A RIGHT-OF-WAY LINE.
  - PUE PUBLIC UTILITY EASEMENT

- DEVELOPMENT NOTES:**
- AS REQUIRED UNDER SECTION 16.6.140 OF THE SALIDA MUNICIPAL CODE, A PAYMENT IN LIEU OF LAND DEDICATION FOR FAIR CONTRIBUTION FOR PUBLIC SCHOOL SITES SHALL BE PAID BY THE OWNER PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR ANY NEW RESIDENCE ON SUCH LOT.
  - DEVELOPMENT ALLOWANCES AND REQUIREMENTS ARE PER THE CONFLUENT PARK PLANNED DEVELOPMENT AMENDMENT, APPROVED BY ORDINANCE 2020-01, AND ANY AMENDMENTS THERETO.
  - OPEN SPACE FEES IN LIEU ARE REQUIRED AT THE TIME OF ISSUING A BUILDING PERMIT, FOR LOTS 13-38 ONLY.

AREA (ACRES)	DESCRIPTION
1.24	CITY OWNED AND MAINTAINED PARK
2.92	RIGHT OF WAY
0.25	HOA OWNED AND MAINTAINED ACCESS/UTILITY EASEMENT
11.89	LOTS
16.30	TOTAL

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT, IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE SURVEYOR'S STATEMENT CONTAINED HEREON.

ASSISTED BY:  
  
**CRABTREE GROUP INC.**  
 ENGINEERING SMART GROWTH™  
 SHEET 2 OF 2

CONFLUENT PARK MINOR SUBDIVISION  
 in LOT 1, SALIDA NATURAL RESOURCE CENTER SUBDIVISION AMENDED  
 CHAFFEE COUNTY  
 CITY OF SALIDA, COLORADO

DRAFT

203 G STREET  
 SALIDA, COLORADO

DATE: 6/30/20  
 CHECKED BY: WEH, CAI  
 (REV. 8/5/20)

DRAWING NO.

**CITY OF SALIDA, COLORADO**  
**CITY SALES, COUNTY SALES, AND RETAIL MARIJUANA TAX REPORT**  
**JUNE 2020**



The City of Salida Sales Tax, Chaffee County Sales Tax, and Retail Marijuana Tax Report examines tax collections for the month of June 2020, which were remitted to the City of Salida in August 2020.

**Summary Results for City Sales, Chaffee County Sales, and Retail Marijuana Taxes**

June City sales tax collections increased by \$57,621 (8.7%) as compared to June 2019. The City's portion of Chaffee County sales tax collections were up \$16,579, a 7.1% increase over June 2019. The State allocation of Marijuana Tax was down by \$2,419 (21.8%). In total, sales tax receipts YTD are 11.0% higher than last year at this time and are exceeding budget projections by 10.1%.

Current Month							
	June 2020	June 2019	2020 - 2019 \$ Change	2020 - 2019 % Change	June 2020 Budget	2020 Budget \$ Variance	2020 Budget % Variance
3% Sales Tax	\$ 720,784	\$ 663,163	\$ 57,621	8.7%	\$ 674,180	\$ 46,604	6.9%
1% County Tax	\$ 249,071	\$ 232,492	\$ 16,579	7.1%	\$ 216,300	\$ 32,771	15.2%
Marijuana	\$ 8,675	\$ 11,094	\$ (2,419)	-21.8%	\$ 10,191	\$ (1,516)	-14.9%
Total	\$ 978,530	\$ 906,749	\$ 71,781	7.9%	\$ 900,671	\$ 77,859	8.6%
Year to Date							
	YTD 2020	YTD 2019	2020 - 2019 \$ Change	2020 - 2019 % Change	YTD 2020 Budget	2020 Budget \$ Variance	2020 Budget % Variance
3% Sales Tax	\$ 3,364,341	\$ 3,025,265	\$ 339,076	11.2%	\$ 3,105,314	\$ 259,027	8.3%
1% County Tax	\$ 1,097,591	\$ 1,000,231	\$ 97,360	9.7%	\$ 957,600	\$ 139,991	14.6%
Marijuana	\$ 57,716	\$ 44,461	\$ 13,255	29.8%	\$ 43,780	\$ 13,936	31.8%
Total	\$ 4,519,648	\$ 4,069,957	\$ 449,691	11.0%	\$ 4,106,694	\$ 412,954	10.1%

**CITY OF SALIDA, COLORADO**  
**CITY SALES, COUNTY SALES, AND RETAIL MARIJUANA TAX REPORT**  
**JUNE 2020**



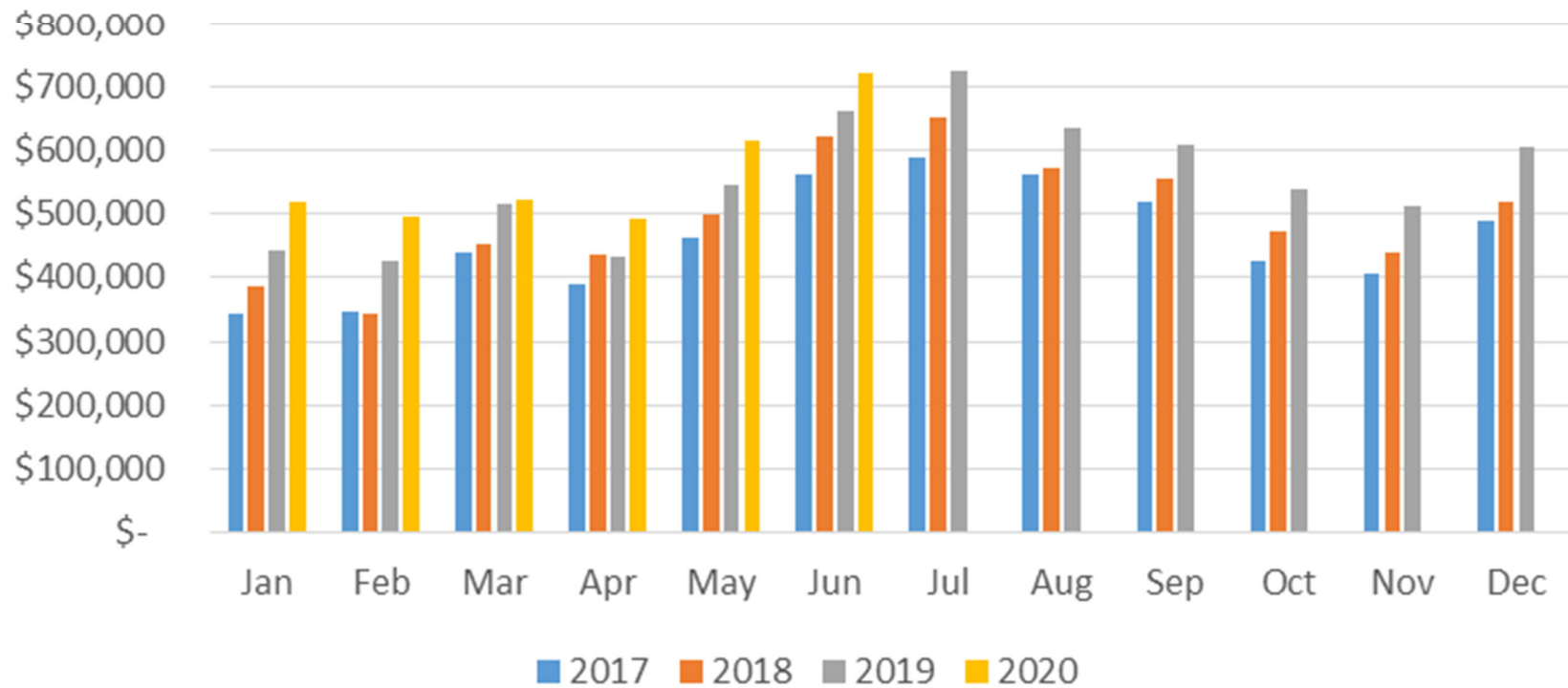
In the tracking by NAICS industry sector report, Salida saw a significant increase over last year for June in the Retail Trade sector and declines in the Accommodation and Food Services, Construction, Information and Real Estate sectors. Retail Trade accounted for 70.3 % of all City Sales Tax in June and 73.2% of all City Sales Tax collected year to date. It is speculated that a major reason for the increase in the retail sector is related to on-line sales as well as evidence that suggests that many Chaffee taxpayers who received Federal Stimulus checks have spent them locally on food and household supplies. It remain to be seen if local spending trends will continue with or without further stimulus payments as the pandemic persists in 2020.

**3% City Sales Tax by Industry Sector**

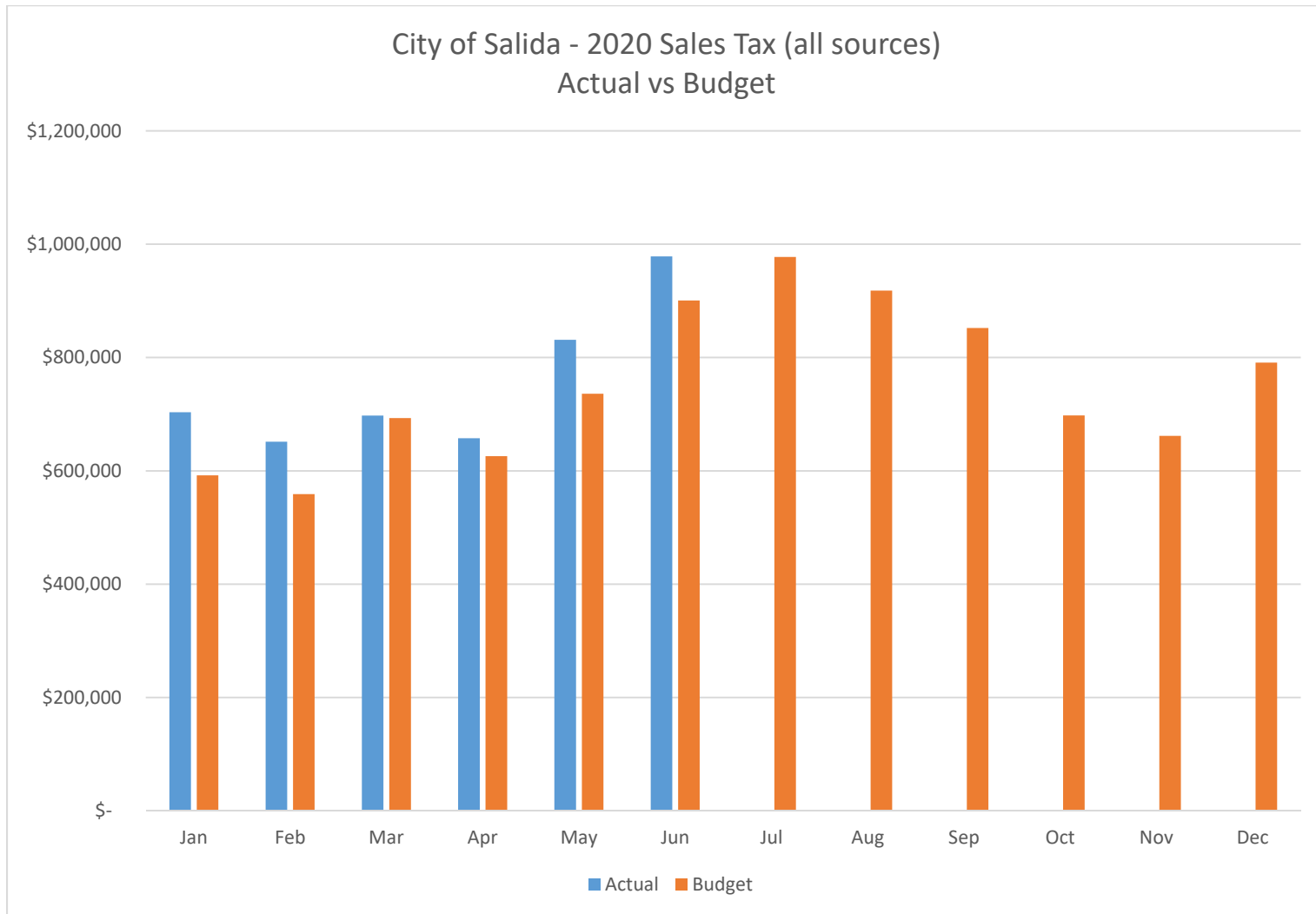
<b>Current Month</b>					<b>Year to Date</b>				
<b>NAICS Sector</b>	<b>June 2020</b>	<b>June 2019</b>	<b>2020-2019 \$ Change</b>	<b>2020-2019 % Change</b>	<b>YTD 2020</b>	<b>YTD 2019</b>	<b>2020-2019 \$ Change</b>	<b>2020-2019 % Change</b>	
Retail Trade	\$ 506,326	\$ 416,881	\$ 89,445	21.5%	Retail Trade	\$ 2,461,323	\$ 2,033,576	\$ 427,747	21.0%
Accomodation and Food Services	\$ 121,014	\$ 149,773	\$ (28,759)	-19.2%	Accomodation and Food Services	\$ 439,885	\$ 590,125	\$ (150,240)	-25.5%
Manufacturing	\$ 24,113	\$ 19,007	\$ 5,106	26.9%	Manufacturing	\$ 99,626	\$ 71,333	\$ 28,293	39.7%
Wholesale Trade	\$ 18,933	\$ 15,687	\$ 3,246	20.7%	Wholesale	\$ 87,856	\$ 65,317	\$ 22,539	34.5%
Construction	\$ 9,892	\$ 14,963	\$ (5,071)	-33.9%	Construction	\$ 56,540	\$ 45,878	\$ 10,662	23.2%
Information	\$ 5,657	\$ 8,254	\$ (2,597)	-31.5%	Information	\$ 40,591	\$ 45,411	\$ (4,820)	-10.6%
Real Estate, Rental & Leasing	\$ 3,054	\$ 10,025	\$ (6,971)	-69.5%	Real Estate, Rental & Leasing	\$ 18,186	\$ 29,865	\$ (11,679)	-39.1%
All Other	\$ 31,795	\$ 28,574	\$ 3,222	11.3%	All Other	\$ 160,334	\$ 143,758	\$ 16,576	11.5%
<b>Total</b>	<b>\$ 720,784</b>	<b>\$ 663,163</b>	<b>\$ 57,621</b>	<b>8.7%</b>	<b>Total</b>	<b>\$ 3,364,341</b>	<b>\$ 3,025,265</b>	<b>\$ 339,076</b>	<b>11.2%</b>



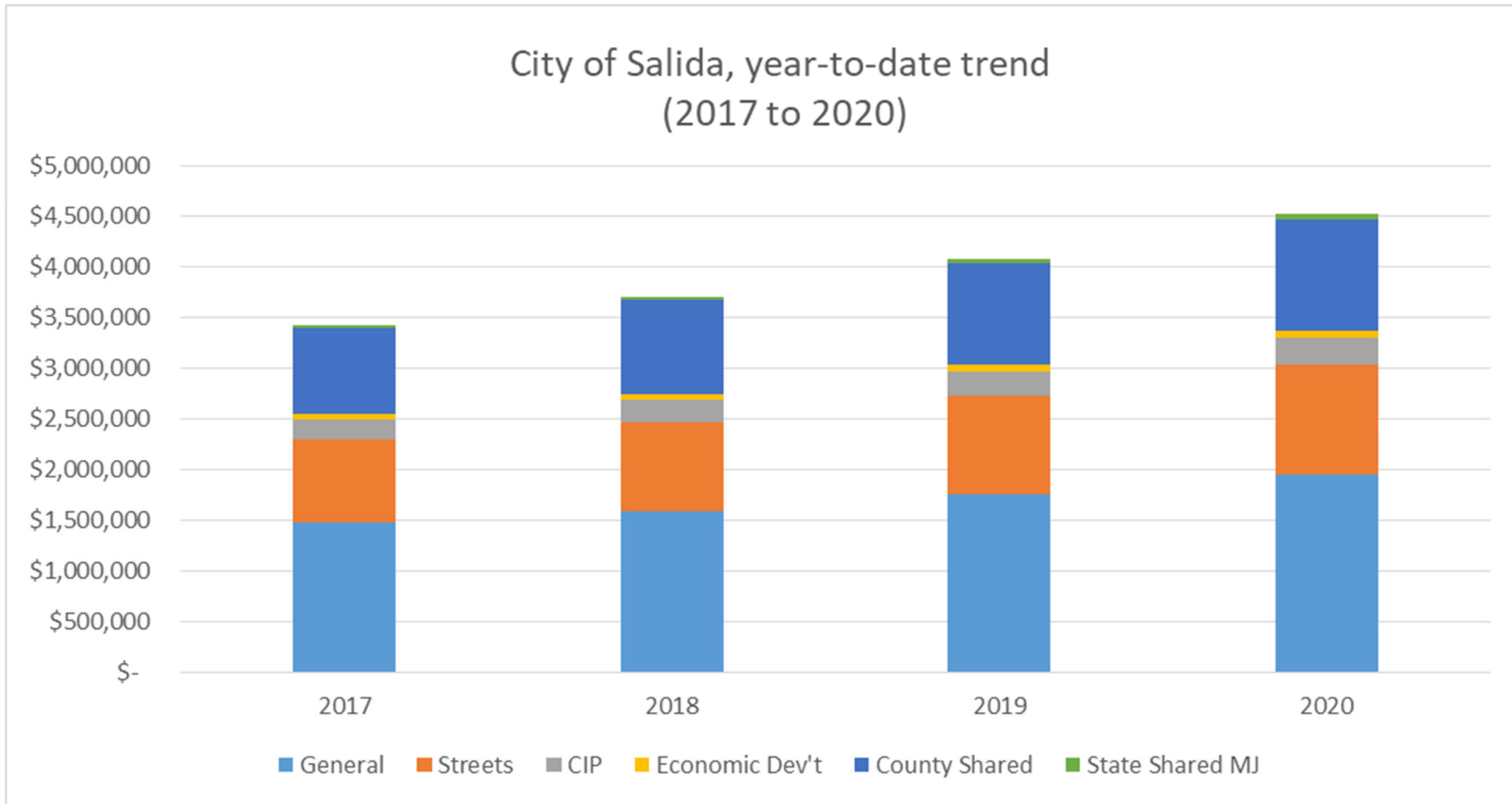
City of Salida - Monthly 3% Sales Tax Performance  
(2017-2020)

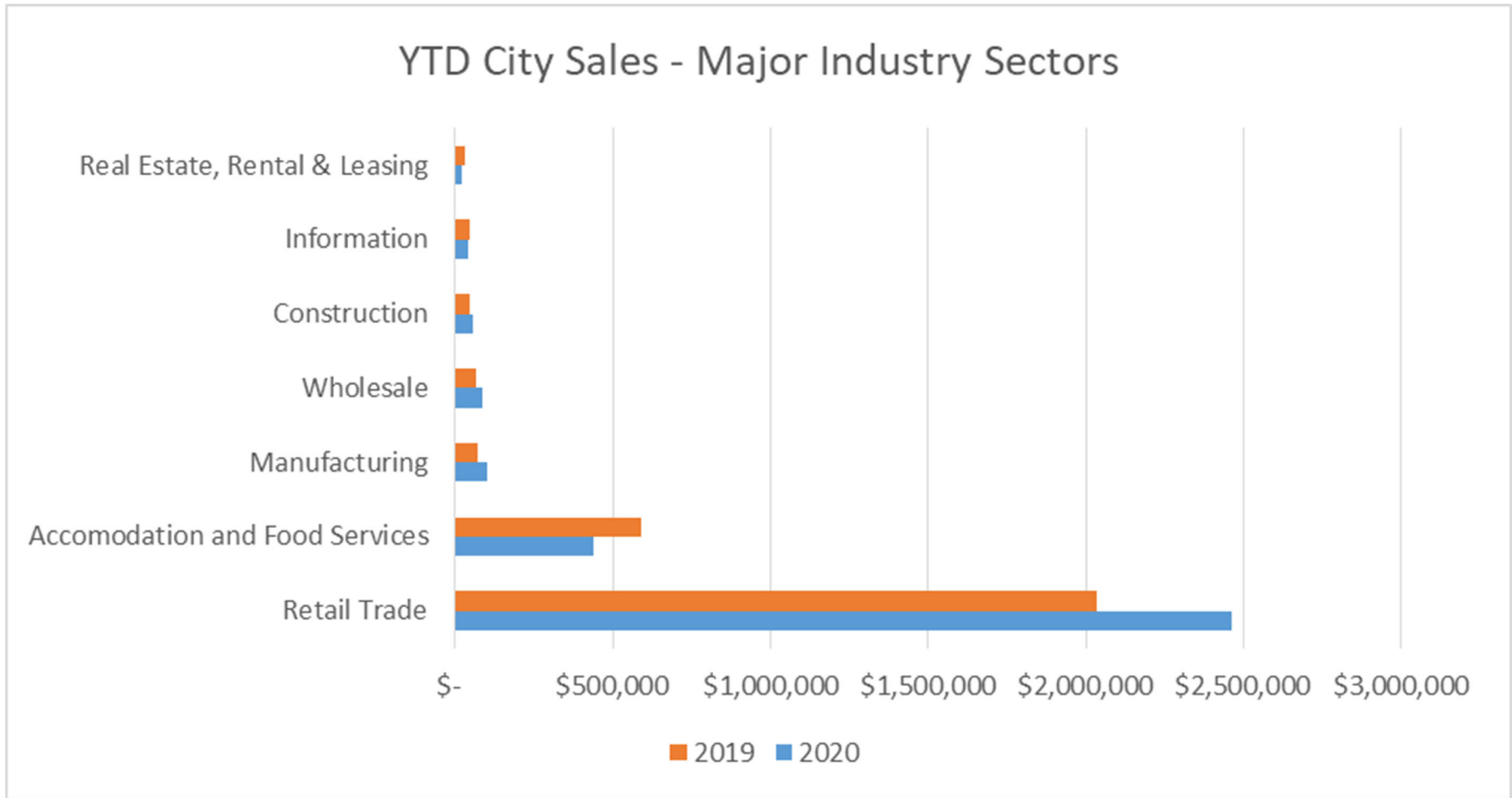


**CITY OF SALIDA, COLORADO**  
**CITY SALES, COUNTY SALES, AND RETAIL MARIJUANA TAX REPORT**  
**JUNE 2020**



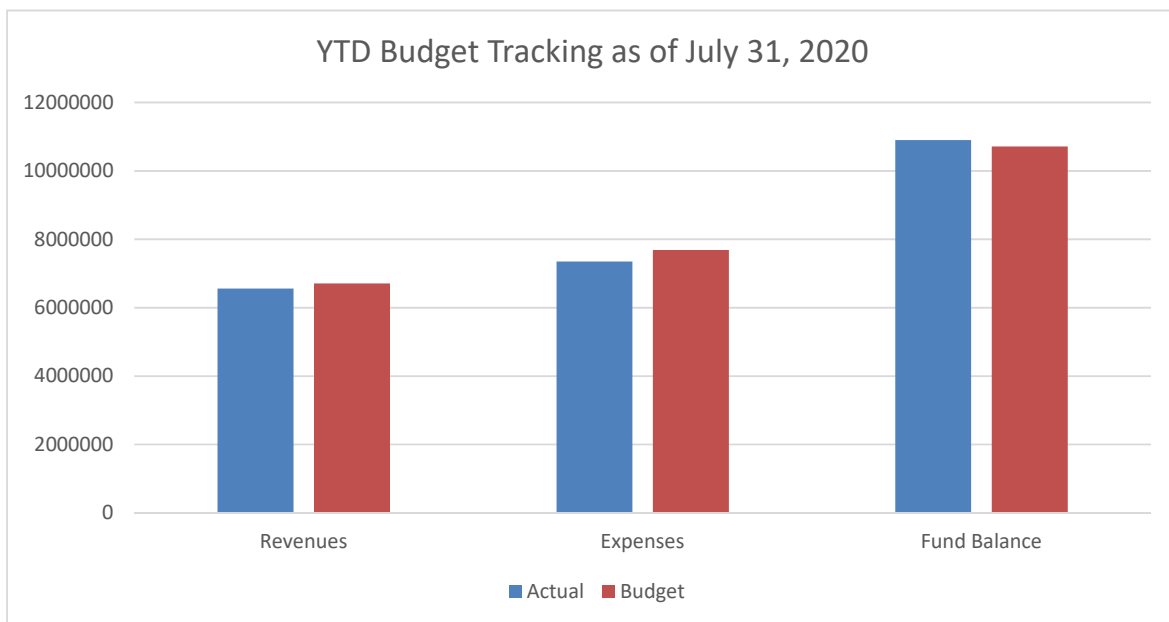
**CITY OF SALIDA, COLORADO**  
**CITY SALES, COUNTY SALES, AND RETAIL MARIJUANA TAX REPORT**  
**JUNE 2020**





**City of Salida**  
**All Funds Combined**  
**Budget Tracking for 7 months ending July 31, 2020**

	YTD Actual	YTD Budget	Variance	% Variance	Annual Budget	% Remaining
<b>Revenues</b>						
Tax Revenue	\$ 3,684,829	\$ 3,554,301	\$ 130,528	3.7%	\$ 7,579,900	51.4%
Fees for General Services	2,042,105	2,013,619	28,486	1.4%	3,453,300	40.9%
Fines & Forfeitures	21,710	43,733	(22,022)	-50.4%	75,000	71.1%
Licenses and Permits	58,103	16,327	41,776	255.9%	28,000	-107.5%
Intergovernmental Revenue	1,403,242	1,283,107	120,136	9.4%	4,070,500	65.5%
Fees for Recreation & Event Services	187,344	554,237	(366,893)	-66.2%	950,500	80.3%
Capital Revenue	652,534	592,430	60,104	10.1%	2,766,000	76.4%
Miscellaneous Revenue	255,510	182,452	73,058	40.0%	312,900	18.3%
Transfers In / Out	-	-	-		2,421,700	100.0%
<b>Total Revenues</b>	<b>\$ 8,305,378</b>	<b>\$ 8,240,205</b>	<b>\$ 65,173</b>	<b>0.8%</b>	<b>\$ 21,657,800</b>	<b>61.7%</b>
<b>Expenditures</b>						
Direct Cost of Revenue	29,454	85,133	55,679	65.4%	146,000	79.8%
Personnel	4,116,276	4,294,940	178,664	4.2%	7,543,000	45.4%
Contracted Services	1,004,424	1,161,430	157,006	13.5%	1,852,400	45.8%
Supplies & Materials	219,272	281,900	62,628	22.2%	483,450	54.6%
Utilities	352,739	354,175	1,436	0.4%	607,400	41.9%
Other Operating Costs	785,068	869,489	84,422	9.7%	1,491,150	47.4%
Financing Obligations	422,670	635,171	212,501	33.5%	1,089,300	61.2%
Budgetary Capital Expenditures (\$500 - \$4,999)	39,965	37,078	(2,887)	-7.8%	107,200	62.7%
Capital Purchases & Improvements (\$5,000 +)	1,541,770	2,756,897	1,215,127	44.1%	9,246,600	83.3%
Transfers In / Out	-	-	-		2,421,700	100.0%
<b>Total Expenditures</b>	<b>\$ 8,511,637</b>	<b>\$ 10,476,213</b>	<b>\$ 1,964,575</b>	<b>18.8%</b>	<b>\$ 24,988,200</b>	<b>65.9%</b>
Revenue over (under) Expenditures	(206,260)	(2,236,008)	2,029,748		(3,330,400)	
1/1/2020 Available Fund Balance	11,690,311	11,690,311	-		11,690,315	
<b>Ending Available Fund Balance</b>	<b>\$ 11,484,051</b>	<b>\$ 9,454,303</b>	<b>\$ 2,029,748</b>		<b>\$ 8,359,915</b>	





## AUGUST 2020 STAFF REPORTS

---

### **Police Department –**

- Salida PD had 720 Calls for service in July. That was a 21% increase over July 2019. We have seen increases in thefts, burglaries, motor vehicle thefts, and domestic violence. Just about every category is showing an increase for the month.
  - We had 4 Tactical Team callouts in July. All of them ended safely and successfully.
  - We have been utilizing our new protocol and calling out Solvista Mental Health when an officer determines a call to be a mental health issue. I think this is working out fairly well and we will be continually tweaking this process as we go.
  - We utilized our driving instructors and hosted a defensive driving class for city employees to meet the requirements for CIRSA.
- 

### **Finance Department –**

- No report.
- 

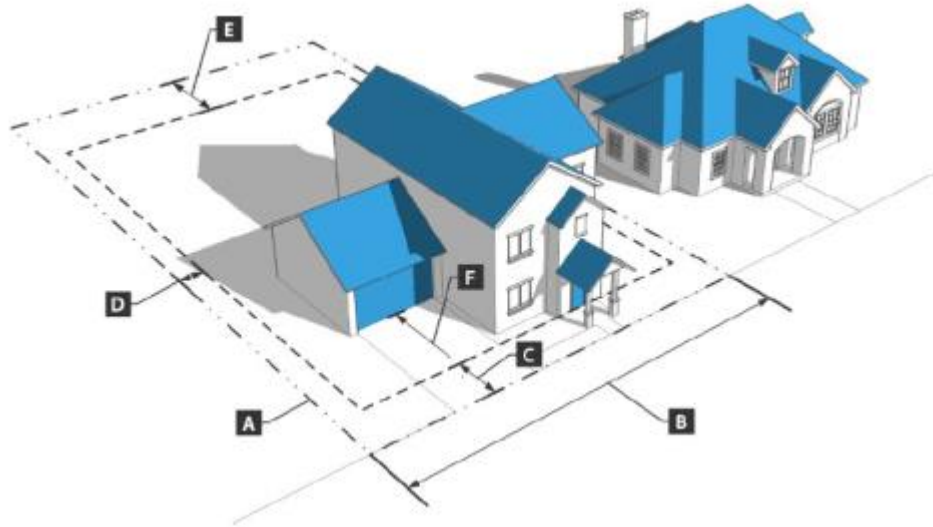
### **Community Development –**

- On August 11, 2020 the State Housing Board approved Salida's request for CDBG funds totaling \$720,000 for the affordable Salida Ridge Apartments in Confluent Park. The breakout of units and expected rents are:

<b>Unit Type</b>	<b>% AMI</b>	<b># of Units</b>	<b>Net Rent</b>
1 Bedroom	30%	1	\$317
2 Bedroom	30%	1	\$379
3 Bedroom	30%	1	\$438
1 Bedroom	40%	4	\$445
2 Bedroom	40%	4	\$533
3 Bedroom	40%	2	\$615
1 Bedroom	50%	19	\$572
2 Bedroom	50%	16	\$686
3 Bedroom	50%	1	\$792

- Staff has been reviewing the graphic standards for the new Land Use Code proposed by

Clarion. The exhibits are intended to provide dimensional standards in an easy to read and understand format. The annotations will refer to a tabular table of setbacks, height requirements etc. We like the simple and clear example below. It has been fun, like picking out carpeting at a new house.



---

#### **Recreation Department –**

- See attached.

---

#### **Public Works –**

##### Admin:

- Project Management
  - Project planning, contracting, and project management for the 2020 capital projects. Emphasis this past month on Blake Street.
  - Coordination of design and bidding for a stormwater improvement project (DOLA grant funded)
  - Coordination of additional street work for later in 2020 and 2021.
- Planning Items
  - CO 291 Intersection Control Evaluation and Corridor Plan
    - A review of the plan alternatives has been provided to the public for review and comment. These alternatives include three street sections from Walnut to US-50 as well as three intersection alternatives as US-50 and Oak St (291).
  - Raw Water Study
    - A first draft has been provided to staff and is under a review.

##### Streets:

- Staff completed additional alley grading and stormwater improvements on L St.
- Staff completed additional mill/inlaw of crosswalks and other pavement markings.
- Assisted with gate replacement at PW shop.

##### Water/Wastewater:

- Field staff completed all 2020 sewer jetting with the new jet/vac truck. This work was originally budgeted (\$80k) to be completed by a contractor in 2020 but staff was able to complete the work in-house.
  - Sewer camera inspection of 2020 lines underway.
  - Contractor back in town completing additional cured-in-place sewer main point repairs.
  - Staff assisted with QC at development sites.
- 

#### **Arts & Culture –**

- Calliope filming on the SteamPlant Plaza
  - Continued interior and exterior improvements to SteamPlant facility
  - Theater rehearsals for one person play in the theater. It was recorded and put online.
  - Artist opening with maximum of 7 people in the Paquette Gallery.
  - Art Therapy class at the Scout Hut with 6 participants.
  - Community yoga on the plaza with a maximum 10.
  - Total number of people attending events for the month of July. 340
- 

#### **Fire Department –**

- Ron Parks promoted to Captain of B-Shift. Ron has been a career firefighter with SFD for over 15 years.
  - Daniel Distel promoted to Senior Firefighter. He has been with SFD for 7 years.
  - Brandon Evans previously with Buena Vista Fire was hired to fill the open firefighter position
  - Call volume is well above last year.
  - We have staff and apparatus deployed to the fires on the west slope.
- 

#### **Clerk's Office –**

##### Courtside:

- Preparing for Court on August 21, 2020. Continue to work towards a 'paperless' court system that will possibly be in effect by January, 2021.

##### Deputy Clerk-side:

- Finished processing 2<sup>nd</sup> quarter OLT reports/taxes. Continue to work towards a 'paperless' STR system. Processed liquor license renewals as needed.
- Completed the following classes:
  - Law School 101
  - Records Retention and Destruction
  - OADC Municipal Court Training
  - Managing Remote Meetings.

##### City Clerk:

- Continue to learn and process various types of liquor licenses/changes.
- Became a notary and completed the following classes:
  - Marijuana Part I
  - Marijuana Part II

- Making Smart City Simple – Resiliency for the New Normal
- Law School I
- Law School II
- Clerk's - Other Duties as Assigned

## **City Council Parks and Recreation Department Report**

### **General**

- Skatepark and Holman street projects were a top priority this last 2 weeks
  - Andrea Carlstrom visited the Aquatics Center and approves of current operations and even scaling up with our precautions.
  - FIBArk and SunFest were held and were generally regarded as successful
- 

### **Front Desk Administration/Representatives**

- Lost employee to college so recruited, hired and am training a replacement
  - Researching options to order more staff t-shirts
  - Working on establishing a new cloud based phone system
  - Creating material and systems to help guide customers with setting up online accounts, registering for activities and entering/using the facility appropriately
  - Training staff to understand the unique aspects of our new software
  - Working with public health to loosen criteria for tracking clients that enter pool so as to simplify the processes on software for both clients and front desk staff
  - Preparation of software to allow Fitness Program members to be honored again
  - (volunteer) Helped organize and coordinate major dog park project
- 

### **Aquatics**

- Full time lifeguard position open
  - Guards are going back to school which leaves me with a skeleton crew
  - Hoping to start private lesson in September
  - Working with swim team to plan swimming in the fall
  - Arthritis, Cardio, Adult Coached classes have started with limited numbers
  - Working on adding the water yoga class back to the schedule
- 

### **Hot Springs Facility**

- Investigating the feasibility of using the hot water to pre heat the boiler to adjust climate control
  - Receiving quotes for a new effluent flume as per the state inspection
- 

### **Parks, trails, open space and facilities**

- Engineered Wood Fiber was installed at several park playground locations
  - New interpretive signs have been installed along the Monarch Spur Trail
  - Continually playing catch-up on park and facility trash and sanitation
  - Continued mowing and trim operations in the parks
  - Continued work on the Crestone Mesa Park Irrigation re-build
  - A large Eagle Scout project at the Dog Park is underway
  - Maintenance work and upgrades to the Tennis Court lights and power
  - Facilities work for PW Shop, Community Center, and Water Plant
-

## Recreation

- FIBArk Hill Climb: 38 participants out of 50 registration spots
  - COVID 19 Health precautions:
    - Staggered Interval Times
    - Less participants
    - Face masks required until the run begins
- SunFest
  - Showed success in social distancing measures taken (8 foot circles spaced 6 feet apart)
  - Fit between 40-50 circles which allowed for the event variance limit of 175 or under
- Social Media Growth
  - Facebook:
    - In the past 28 days, we have had 2,028 organic post engagements
    - We have received 44 new follows and 224 new page views
  - Instagram:
    - We are up to 865 followers
    - In the past week, we have had 30 interactions which means that 30 people have used our instagram to get to our website
- Cost Recovery
  - Assigned direct and indirect costs to 2019 activities, programs and events
- Bike Fest
  - Finalized all permits with BLM to ensure that Blkefest can go underway
  - Planned for a secondary route just in case the original trail is not repaired in time

August 2020

Staff Report

Finance Department

- Met with Departments to go over 2021 Budget Requests and readied the budget for Council discussions.
- Made significant progress in developing OpenGov reports and shared with Department Heads. Staff member Kristen Hussey did an excellent job developing “dashboards” for each department which is a grouping of reports designed to assist department heads in managing their financial performance.
- Staff continue to do an excellent job keeping up with the reconciliations, deposits, bill paying, payroll processing, billing and reporting necessary in a busy accounting office.



### **Poncha Springs:**

- **1010 Tailwinds:** Permits were issued for several four-plex buildings as this address.
- **405 Quarry Station:** A permit was issued for a pavilion structure at this address.

### **Buena Vista**

- **501 Antero Circle:** A permit was issued for a storage building at this address.
- **707 N. Hwy 24:** Permits were issued for parking lot lighting at the Valley Wide Health Medical Clinic.
- **328 E. Main Street:** A permit was issued for a minor remodel of the Asian Palette building.

### **C. Inspection Totals**

- We performed 1,098 field inspections in the month of June.
- We issued 61 certificates of occupancy in June.

### **D. Legislative Update**

- On July 15, 2020 the Colorado Electrical Board adopted the 2020 National Electric Code. We are evaluating the changes now and it will be automatically adopted 12 months after the state with the resolution that is currently in place in accordance with state statute.

## **II. Planning & Zoning**

**A. Land Use Code:** The July 7 Planning Commission & BoCC joint work session was devoted to review of the draft comprehensive plan. The following Land Use Code items are pending discussion:

- An amendment to LUC Article 1.1.8 to include the Buena Vista Intergovernmental Agreement was heard by the Planning Commission on July 28, 2020 and recommended for approval. The item will be before the BoCC on **August 11, 2020**.
- An amendment to the definition of Outfitting Facility in Article 15 of the LUC was discussed in work sessions on November 26, 2019, January 28, 2020 and February 25, 2020. Changes to the code will be heard by the PC at a date to be determined.
- A citizen-initiated amendment to Article 7.8.22.B.2.e to reduce the setback to existing residences from 500 feet to 100 feet. This was heard in work session on January 28, 2020 and was discussed in a joint work session agenda on February 25, 2020. A hearing has yet to be scheduled.
- An amendment to Article 15, Definitions to add definitions of Central Water System and Central Sewer System. This was discussed by the Planning Commission in work session on January 9, 2019. Planning Commissioner Curgus has research to share with the Planning Commission and this will be discussed at a future work session.

**B. Buena Vista Intergovernmental Agreement:** A joint work session with the County and Buena Vista Planning Commissions was held on June 9, 2020. Further discussion and a recommendation to approve the plan was heard at the June 30, 2020 Planning Commission meeting. **The Chaffee County BoCC approved the**

plan on July 21, 2020. The Town of Buena Vista Trustees approved the plan on July 28, 2020. A formal signing of the document by both parties is being scheduled.

**C. Comprehensive Plan:** Staff continues to meet with Cushing Terrell on a bi-weekly basis on the comp plan project. The Planning Commission has held weekly meetings for discussion of the plan through the beginning of July. The new draft plan is anticipated in 2 phases; on July 10, 2020 for internal review with edits and comments due July 17, 2020 for values, vision, goals and strategies, and then on July 31, 2020 for internal review with edits and comments due on August 9, 2020 for future land use plan and implementation strategies.

**D. Land Use Current / Pending / in progress:**

**Applications Scheduled for Public hearing:**

- Rio Frio Minor Subdivision Final plat on CR 300 proposes division of the 27-acre Parcel 1 of the Nestle Water/Jacobson Boundary Line Adjustment into 4 residential lots, 2 common use outlots and Rio Frio Lane. The application was before the Planning Commission on September 24, 2019 and was recommended for approval. The application was before the BoCC on October 10, 2019 and approved. The final plat was before the PC on July 28, 2020 and continued at the request of the applicant to August 25, 2020. The application will be before the BoCC on **August 11, 2020** and presumably will be continued until after PC hears the application.
- The High Country Village Major Subdivision Planned Development at the intersection of CR's 313 & 314 in Johnson Village proposes the conversion of the manufactured home spaces created by the Swisher Manufactured Home Park into Lots served by a private water system and BV Sanitation District sewer. This application was heard by the PC on July 28, 2020 and was recommended for approval. The application will be before the BoCC on **August 11, 2020**.
- The North Fork Ranches Major Subdivision Preliminary/Final Plat at the entrance to Weldon Creek on W. Hwy 50 proposes to divide 150 acres into 16 Lots. This application was before the Planning Commission on June 30, 2020 and was recommended for approval. The application was before the BoCC on July 14, 2020 and continued to **August 4, 2020** with the understanding that a new title report would be delivered to planning staff at least 1 week prior to the meeting. The title report was received by staff on Monday, August 3, 2020 and the applicant's representatives have agreed to continue the August 4 hearing to **August 11, 2020**.
- The Aspire Tours application for Limited Impact Review at 11302 CR 190W proposes an Outfitting Facility, a Commercial Campground and a Seasonal Employee Campground on a 44-acre parcel. This application was to be heard by the Planning Commission on February 25, 2020 but was continued to March 31, 2020 at the applicant's request. The application was before the Planning Commission on July 7, 2020 and further **continued to a date uncertain** to allow the applicant to provide a water supply study and traffic study of the property.
- Lark's Perch Major Subdivision preliminary plan, located south of Hutchinson Lane and east of the Canyons ROSI, proposes the division of a 37-acre

parcel into 13 lots. This application was before the PC on January 29, 2019 and recommended for Approval. The application was before the BoCC on February 12, 2019 and approved. After agency review the application was before the Planning Commission on November 5, 2019 and continued to January 14, 2020 to allow the applicant to prepare additional materials and then additionally continued to March 3, 2020 at which time the application was denied. The BoCC heard an appeal on May 19, 2020 and this was continued to July 7, 2020 at which time the applicant's representative requested continuance to a face-to-face meeting. The BoCC will visited the application on August 4, 2020 to consider a date for further continuance.

#### Recently Approved, Denied or Withdrawn Applications:

- The Arkansas Valley Business Park Phase 2 Preliminary/Final Plat at the Miles Construction yard on CR 317 proposes the division of 12.8 acres into 8 lots and roadway. This application was before the Planning Commission on June 30, 2020 and was recommended for approval. The application was before the BoCC on July 14, 2020 and approved.
- The Tipton resubdivision of Lot 25 Glenview Subdivision Filing No. 1 proposes the subdivision of 7.8 acres into 3 Lots. This application was heard by the Planning Commission on June 2, 2020 and was recommended for approval. The application was before the BoCC on July 28, 2020 and was approved.

#### Applications Requiring Applicant Action:

- The DAO Minor Subdivision sketch plan on CR 270, North of the Kalivoda ROSI, proposes the division of 13.6 acres into 3 Lots. This application was before the PC on July 28, 2020 and approved for agency review.
- The Morrison Heritage Water Subdivision Exemption at 15974 CR 306 proposes the creation of one lot and one outlot in conjunction with a Minor Subdivision. The HWSE was heard by the BoCC on November 19, 2019 and approved. The Minor Subdivision was heard by the PC on November 19, 2019 and was recommended for approval.
- Ruby Mountain Minor Subdivision sketch plan, located east of the Arkansas River adjacent to the Ruby Mountain campground, proposes to divide a 19.7-acre parcel into two lots. This application was before the PC on January 29, 2019 and recommended for approval. The application will be sent for agency review upon receipt of the final submittal.
- El Rancho Vaquero Minor Subdivision north of the Buena Vista rodeo grounds proposes to divide the outlot created by the Heritage Water Subdivision into 3 lots of 9.6 to 9.8 acres. The Minor Subdivision was before the Planning Commission on February 26, 2019 and recommended for agency review.
- Whispering Pinons Acres Major Subdivision Sketch Plan at 11341 CR 206, west of the Poncha Springs Cemetery, proposing 12 lots on 40 acres was heard and approved by the BoCC on March 13, 2018. Staff granted a 6-month extension to submit the preliminary plat through September 13, 2019.

### Out of Compliance Applications:

- Estates at Mt. Princeton Phase II & III (OLD) are required to be completed by 06/08/2015 (sketch plans for multiple filing subdivisions are valid for a maximum of 5 years under the old regulations). The PUD development agreement also refers to a five-year term, requiring that all phases have final approval within 5 years. Staff had a pre-application meeting with the applicant on 6/4/15. This subdivision is out of compliance. Staff met with representatives of Mt. Princeton Holdings and Phelps Engineering on September 30, 2019 and it was agreed that Phases II & III will need to be considered as a new application. A replat of lots in Phase I was also discussed. No application has been submitted to date.

**E. Nestle Waters:** Staff continues to work with Nestle Waters in anticipation of a permit amendment and renewal of the 1041 permit. The 2018 Annual Report was received by staff on May 1, 2019. Staff met with Larry Lawrence on August 6, 2019 to review renewal submittal requirements. Nestle has submitted an application for extension of the permit without amendment. The resolutions and yearly reports are currently published on the County website. **The BoCC considered a continuance of this hearing on April 7, 2020, and a hearing date of October 20, 2020 was set.**

**F. Homestake pipeline reconstruction 1041 permit:** Staff met with Homestake representatives to discuss an amendment of this 5-year permit for an additional 5 years to repair additional sections of pipeline. **An application has been submitted and this was heard by the BoCC on August 4, 2020.**

### **G. Subdivisions subject to SIA with Lot Sales Restrictions:**

1. Estates at Mt. Princeton: LSR on Phase 1, Lots 10 and 16-27; was extended through June 27, 2019. Staff met with the applicant on September 30, 2019, see out of compliance applications.
2. Lakeside Preserve: The BoCC granted a final extension to the Lot Sales Restriction through November 01, 2019. The BoCC accepted escrow for the completion of Teal Ct. on February 18, 2020.
3. River Meadow Estates Addition, Fil. 1-4; LSR was extended through October 20 2029
4. Shikoba Acres Fil. 2: LSR was extended through July 6, 2023.
5. Westwinds: LSR Lots 35-45 Filing 3 & Lots 47-49 and 52-55, Filing 4. Developer has entered into an escrow agreement with the County (\$3520) for completion of road grading and road swales.
6. Bos Minor Subdivision: LSR on all 4 lots through November 11, 2019. This will require extension.
7. Chipeta Meadows Minor Subdivision: LSR on Lot 1 through July 13, 2019. This requires extension
8. Longhorn Ranch: Chaffee County holds an escrow account of \$10,000 for completion of improvements.
9. Oak Leaf Solar Farm: Improvements and Maintenance Agreement through July 27, 2019. The applicant has submitted the funds required by the Improvements Agreement and has submitted an application for the building permit. Construction is complete. **The landscaping of the property has been completed and staff inspected the improvements on July, 16 2020 at which time it was**

noted that the irrigation system was not functional and that some of the plantings did not look healthy or were dying. The release of funds was before the BoCC on July 21 and this item was continued to August 11, 2020 to allow the applicant to repair the irrigation system, attend to the plantings and allow staff to do another site visit.

10. Rafter's Roost: Improvements and Maintenance Agreement through October 31, 2021 for Phase I and through October 31, 2024 for Phase II.

11. Strother Minor Subdivision: LSR through July 7, 2023.

#### **H. Violation Investigations**

1. Staff is reviewing the property at 30108 CR 361 at the southeast corner of Game Trail (the site of "Organic Firewood" sales) for possible violations of the Junk Ordinance.
2. Wyzkiewicz/Hirschey Property – 11341 CR 206. Building and Zoning violations. This property is being platted as Whispering Pinons Acres Major Subdivision, see items requiring applicant action. Staff is working with the applicant toward resolution of the building and land use violations.
3. Staff is reviewing 3 properties in Trout Creek Meadows on Singletree Road for possible camping violations.
4. Nathrop Properties – white metal Junk
5. Staff is investigating a junk and waste tire complaint at 27396 CR 314

### **III. Engineering**

#### **A. Road and Bridge**

1. Staff has approved Centerville Phase 1 subdivision roads. The connection to HYW 285 has been completed.
2. CR 101 was damaged by flooding, in days following the flooding, Road and Bridge repaired the road for local traffic.
3. Granite Bridge: See section E. Engineering projects

#### **B. Plan Review**

1. Staff reviewed the following plans:
  - a. Tipton minor subdivision,
  - b. Rio Frio minor subdivision.

#### **C. OWTS Program**

1. In July staff reviewed 13 OWTS designs, issued 10 OWTS permits and 5 are on hold.
2. Staff investigated overflowing sewage at the Maysville KOA. Staff concluded that the septic systems are operating properly but the sewer lines are not flowing properly and sewage was backing up and coming out a manhole. The owners have been contacted and have had the sewer line cleaned.
3. Staff received a concern about the Comanche Drive-in Septic system. Staff has contacted the owners but staff has not succeeded in scheduling a time to do a site-investigation.

#### **D. Regional engineering plan review and inspection**

1. Army Corp Of Engineers, "Waters of the USA", violations:
  - a. Cr 221- the owner is working with the ACOE to resolve the violation and has started remediation of the damaged area. The county has informed the owner

that no county permits will be issued until the remediation has been completed.

- b. 30450 CR 371; Nothing new to report.
2. Staff received a complaint that a skid steer loader was parked close to the Arkansas on CR 301A. Th complainant was concerned about possible pollution of the Arkansas. Staff could find no EPA or USACE regulation forbidding this. Staff contacted the owner and they graciously removed the machinery away from the river.
3. Buena Vista High School: Phase 2 and 3 is under construction.
  - a. Phase 1: 100% complete
  - b. Phase 2 and 3:
    - i. The existing school is 100% demolished,
    - ii. The foundations are 100% complete,
    - iii. Prefab concrete walls are 100% complete,
    - iv. Steel structure is 100% complete,
    - v. CMU walls are 100% complete,
    - vi. Steel stud framing is 100% complete,
    - vii. Drywall is 90% complete,
    - viii. Road/parking is 90% complete,
    - ix. Finishing is 0% complete,
  - c. Staff has performed approx. 256 different inspections to date.
  - d. 1 new case of Covid-19 was reported.



#### **E. Engineering Projects**

1. Salida Airport Beacon Tower:
  - a. Staff wrote and published an RFP for the construction, repair and installation of the airport beacon tower. Submittals were due August 3, 2020.
2. Fair grounds North building, heating/cooling:
  - a. DSI has been awarded the contract for the installation of the heating and cooling units,
  - b. Atmos will be installing the new gas main after the end of the county fair.
3. Chaffee County Administration Building:
  - a. Preliminary design is 100% complete,
  - b. A parking/lot coverage variance has been approved by the City of Salida and Salida added new diagonal parking to Crestone Ave.
4. Public safety Building:
  - a. On HOLD
5. Granite Bridge rehabilitation:
  - a. Structural steel analysis:
    - i. Preliminary analysis is currently being performed, the first conclusions are that the bridge will have to be removed and strengthened with new girders. A temporary bridge will be placed on the existing abutments allowing local traffic and emergency vehicles to cross,
  - b. Abutments:





# OFFICE OF HOUSING

PO Box 699  
SALIDA, CO 81201  
PHONE (719) 530-2590  
WWW.CHAFFEECOUNTY.ORG

## Directors Report to the Board of County Commissioners for activities in July 2020

- Multi-Jurisdictional Housing Authority
  - The Intergovernmental Agreements that are proposed to create a MJHA continue to be edited and refined, including input from every jurisdictions legal teams. Presentations of the Steering Committees progress and agreements have been made per the following schedule:
    - July 14, 2020: Board of the County Commissioners
    - July 20, 2020: Salida City Council
    - July 27, 2020: Poncha Springs Trustees
    - July 28, 2020: Buena Vista Trustees
  
- Salida Housing Development Corporation
  - Serving on the Board of Directors for the SHDC, I continue to act as a liaison between Cardinal Capital, the Low Income Tax Credit developer, DOLA-DOH, and CHFA.
  - We are working with Prior & Associates on obtaining a Market Study to be submitted with the LITC application. There are several areas of the market study that are not reflective of our actual economic situation and I am working to provide better data sources as well as connect the Analyst with Wendell Pryor of the EDC.
  - A letter of intent to apply will be submitted in December 2020; the final application will be submitted in February 2021. I am working with CHFA representatives to be certain that the recently awarded Confluent Park LITC project in Salida wont preclude this application from being considered. Typically, CHFA prefers to see a project built out and leased up before awarding another in the same Primary Market Area.
  
- Rental Deposit Guarantee Program:
  - This program is continuing to see an increase in inquiries and activities. Moreover, some tenants are reporting difficulty in payment due to loss of income from COVID. I am working with them to revise their repayment agreements.
  
- Health Disparities Grant Program
  - The first year of this program has wrapped up, and a final report has been submitted to the HDGP Grants Manager. The Core Team (comprised of all paid professional planners within Chaffee County governments, Economic Development Corporation, and Envision Chaffee County) reviewed the report and recommendations on July 10, 2020 and offered their approval. The report will be

presented to and distributed to Planning Commissions, per the following schedule:

- August 25, 2020: Chaffee County Planning Commission
- September 8, 2020: Salida Planning Commission
- September 14, 2020: Poncha Springs Planning Commission
- TBD: Buena Vista Planning Commission
- All HDGP Grantees within the state are coordinating a training event this fall, and a celebration of completion event for the spring of 2021. I am participating in the planning of the spring celebration.
- The HDGP Grant Manager notified us that much of the FY 21 budget has been restored, bringing our total budget amount up to \$201,165.00. I will be revising our Statement of Work and Budget to reflect the increase, and have it submitted by July 13<sup>th</sup>.
- FY21 HDGP Statement of Work: Our budget and statement of work for FY21 have been approved, and includes the following activities:
  - Two community-wide education events
  - Convening of a Planning Collaborative among all of the jurisdictions within the county.
  - Offering at least four training and technical assistance events for the Planning Collaborative.
  - Contracting the evaluation of a collaborative GIS tool, shared among the Planning Collaborative.
  - Contracting the creation of additional GIS layers, if possible.
- Salida Land Use Code Update:
  - July 15, 2020 the consultants Salida hired offered an update on their progress; most efforts were focused on the administrative portion of the document, with a goal to make it easier to understand and use.

## Community Partnerships

- I continue to develop working relationships with a myriad of service providers within Chaffee County, often centering around the Rental Deposit Guarantee Program.
- Chaffee County Community Foundation:
  - I am participating in “Pivot 2020,” the CCCF’s virtual conference for nonprofits, focusing on how organizations might respond to disruptions, such as the pandemic. This is also an excellent networking opportunity and a way to identify or strengthen community partnerships.
  - I have worked with Executive Director Joseph Teipel to conduct pre-development evaluation of a small scale affordable housing development in Salida. We are

poised to engage the land owner in a conversation about land acquisition on July 31, 2020.

- **Public Private Partnerships:**
  - I am working with several land owners who desire to build multiple units of housing, and are voluntarily working to keep a few of their units affordable. These conversations are all indicating that deed restrictions and the community guidelines that support them are going to take more of a priority in my work over the next year. These guidelines will likely reflect that the owners of these homes will be required to be employed in Chaffee County, as trying to reach prices affordable to 100% AMI and below is extremely difficult without public subsidy to the build.
  - I've been working with Brian Morrison of TKMorrison Construction, who is building an RV Resort in Salida on the river and is subject to Salida's Inclusionary Ordinance. We have determined how to calculate the rent cost for permanently affordable RV sites and the administrative mechanisms that my office will need to create to verify eligibility, establish yearly rents and utility standards, and conduct reporting.
  
- **CHFA:**
  - **The CHFAReach:** This is the training and technical assistance of CHFA, focusing largely on rental management and LITC Compliance. I am working to bring more training opportunities to Chaffee County, particularly those intended for landlords.
  - **Private Activity Bonds:** On July 14<sup>th</sup>, working through the Board of County Commissioners, Chaffee County's \$1,063,156 PAB Authority was assigned over to CHFA for use on multifamily projects in Chaffee County or an adjacent county.
  - **Asset Management Team**
    - **First Look Program:** I have joined the "First Look" program, which is a regular distribution from CHFA containing all of the single family, owner occupied homes in their loan portfolio that are about to fall into foreclosure. This program offers qualified entities, such as a multijurisdictional housing authority, the first opportunity to acquire these properties before they go public on the foreclosure market.
    - **Salida Apartments:** The CHFA Asset Management Team connected me with the owners of the Salida Apartments, Interpacific Advantage, a multifamily LITC development and property management company, as well as the entity who originally constructed the project and currently serve as the regional property manager. We addressed the following:

- Complaints from tenants; they assured me they would reach out to the onsite property manager to offer guidance and professional development.
  - Expiration of the Land Use Restriction Agreement maintaining affordability on December 31, 2021. I was informed that they had a USDA loan on the property, which ensures affordability for another 20 years. Moreover, they were pleased to hear Chaffee County has PAB's and are interested in renovating the complex within the next couple of years.
- DOLA DOH: PAB Allocation Committee:  
July 17<sup>th</sup>, 2020 was the last convening of the PAB Allocation Committee for DOLA's Statewide Balance of Private Activity Bond CAP. The function of allocation the SWB of PAB CAP is going to transfer to the State Housing Board. This was done with the intention of reducing overhead and streamlining processes for efficiencies. The State Housing Board will be looking for members with PAB allocation understanding and experience.
- Chaffee County Office of Emergency Management: I was invited to sit in on a Wildfire Coordination Tabletop Exercise on July 13, 2020. While I did not contribute, I did learn where housing/sheltering people could come into play during an actual emergency situation, and will continue to work with Director Atkins to identify how my position might be helpful during future events.

## Professional Development

- Housing Colorado
  - As a Housing Colorado member, I attended their virtual legislative briefing on July 9<sup>th</sup>. The state has worked tirelessly to figure out how to equitably distribute COVID funds throughout the state. Two statewide agencies are responsible for distributing funds in Chaffee County: Brothers Redevelopment and Salvation Army. These funds are primarily for homeless prevention, and can be accessed by tenants and landlords.
  - I attended the virtual Eagle Awards ceremony on July 30, 2020.  
we
- Go Cultivate!: Go Cultivate! Is a podcast hosted by Verdunity, an organization founded by Kevin Shepherd, who was one of the subject matter experts participating in the Housing+Health Speaker Series funded by the HDGP. His focus was on the fiscal implications of different development patterns. I was asked to be a guest on this podcast, and was interviewed on July 22, 2020. Here is a link to the podcasts landing page: <https://www.verdunity.com/go-cultivate>

