



# PLANNING COMMISSION REGULAR MEETING

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

## AGENDA

Email public comments to: [publiccomment@cityofsalida.com](mailto:publiccomment@cityofsalida.com)

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

### CALL TO ORDER BY CHAIRMAN – 6:00 PM

### ROLL CALL

### APPROVAL OF THE MINUTES

- 1. October 11, 2022 - Draft Minutes

### UNSCHEDULED CITIZENS

### AMENDMENT(S) TO AGENDA

### PUBLIC HEARINGS

Public Hearings will follow the following procedure:

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

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

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

### 3. Limited Impact Review - Shaken Roost Minor Subdivision

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

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

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

### UPDATES

### COMMISSIONERS' COMMENTS

### ADJOURN

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

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



# PLANNING COMMISSION REGULAR MEETING

448 E. 1st Street, Room 190 Salida, Colorado 81201  
October 11, 2022 - 6:00 PM

## MINUTES

Email public comments to: [publiccomment@cityofsalida.com](mailto:publiccomment@cityofsalida.com)

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

### CALL TO ORDER BY CHAIRMAN – 6:00 PM

### ROLL CALL

PRESENT

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

### APPROVAL OF THE MINUTES

1. September 26, 2022 - Draft Minutes

Motion made by Vice-Chair Bomer, Seconded by Commissioner Colby.  
Voting Yea: Chairman Follet, Vice-Chair Bomer, Commissioner Dockery,  
Commissioner Kriebel, Commissioner Walker, Commissioner Colby, Alternate  
Commissioner Atwood

**THE MOTION PASSED.**

**UNSCHEDULED CITIZENS: NA**

**AMENDMENT(S) TO AGENDA: NA**

### PUBLIC HEARINGS

Public Hearings will follow the following procedure:

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

2. **Major Impact Review - 505 Oak Street Planned Development and Major Subdivision**

(Continued from the September 26, 2022 Planning Commission Meeting)

The request is for approval of a Major Impact Review for a Planned Development Overlay and Major Subdivision for the 2.09 acre parcel located at 505 Oak Street. The parcel is zoned Commercial (C-1) with the Highway 291 Established Commercial Overlay. Below are the requests:

**A:** Major Impact Review approval of a Planned Development Overlay for the following deviations to the Dimensional Standards:

**Maximum Density-** The applicants are requesting a 19% increase in density.

**Minimum Lot Frontage** - The proposed lots all front on a private HOA maintained road and not on a public street as required.

**Highway 291 Established Commercial Overlay** - The request is for the apartments to be allowed as a use by right.

**Minimum Lot Size** - Reduced minimum lot size for the proposed multi-family lots 11-17.

**B.** Approval of a Major Subdivision to subdivide the above described 2.09 acre property into 18 residential lots.

**A.** Open Public hearing – 6:03 pm

**B.** Proof of Publication -

**C.** Staff Review –

Planner Jefferson, reviews the application and recommends to Planning Commission add a condition to include the trail access on the subdivision plat and a shared access with the City of Salida Fire Department. Another condition will be to receive required approval of that access prior to development from CDOT.

Planner Jefferson recommends approval of the proposed planned development and approval of a major subdivision subject to the proposed conditions and added conditions mentioned above.

Commission asked the following:

- Why the apartments needed the eight lots?
- What were the updates on the proposed fire department
- How does the HOA fee factor in for the inclusionary housing units?
- What the landscaping plans are?

Attorney Williams, stated that the past inclusionary housing language used for Holman was deemed in conflict with state laws. Recommends that the city attorney propose language for City Council for the affordable housing units for the HOA.

- About parking in relation to how wide the street and where the duplexes are.
- Access for emergency vehicles
- Clarification on CDOT's role in approval
- How is the utility and stormwater easement addressed?
- Should the developer have asked for a rezone instead?

**D.** Applicant’s Presentation:

John Diesslin and Brian Cook were present to speak. John Diesslin clarified about driveways and parking.

Commission asked about the plan for the apartments, who manages them and what the long term plan was.

Diesslin answered about the apartment management, spoke to the landscaping plan and the energy plan.

Commission talked about adding a condition to the subdivision that lots 11-17 remain rentals, if the owner wants to condominiumize then they would have to come before commission.

Attorney Williams said that if the developers agree with this condition it could go into the agreement.

Commission asked about:

- The size of the apartments
- The estimated price of the homes and apartment rentals
- Whether they thought the requirements for stormwater retention were sufficient?
- Retention plans and gas plans

**E. Public Input –**

Bonnie McDonald spoke about her traffic concern.

Director Almquist addresses her traffic concerns.

**F. Close Public Hearing – 7:01 pm**

**G. Commissioner Discussion –**

Commission discussed concerns about density and rezoning.

**H. Commission Recommendation –**

**A. 505 Oak Street Planned Development –**

Motion made by Vice-Chair Bomer to recommend City Council approve the 505 Oak Planned Development application with the conditions recommended by staff, Seconded by Commissioner Dockery.

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

**THE MOTION PASSED.**

- B.** 505 Oak Street Major Subdivision – Motion made by Vice-Chair Bomer to recommend City Council approve the 505 Oak Major Subdivision subject to the 505 Oak Street Planned Development becoming effective, with the conditions recommended by staff and the following additional conditions:

2B to show the trail access on the plat,  
2C, to add that there will be architectural elements on the windows and doors to break up the façade

7. The City attorney shall propose language about the appropriate share of inclusionary housing HOA unit dues and assessments so as to unencumber the deed restricted buildings.
8. The developer agrees to work with the City regarding the joint access along the south side of the property.
9. The developer voluntarily agrees to add language to the Subdivision Improvement and Inclusionary Housing agreement that lots 11 through 18 remain rental buildings or request Planning Commission approval to condominiumize any of buildings in the future.

Seconded by Commissioner Colby.

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

#### **THE MOTIONS PASSED.**

#### **UPDATES**

Director Almquist provided updates to the Planning Commission.

#### **COMMISSIONERS' COMMENTS**

**ADJOURN** - With no further business to come before the Commission, the meeting adjourned at 7:17 pm



## STAFF REPORT

**MEETING DATE:** October 24, 2022

**AGENDA ITEM TITLE:** Triplex Near The River Minor Subdivision – Limited Impact Review

**AGENDA SECTION:** Public Hearing

**REQUEST:**

The request is for limited impact review approval to subdivide the lots known as Lot 2 and Lot 3 of the River Ridge Subdivision into three (3) lots. The property is located in the High Density Residential (R-3) zone district.

**APPLICANT:**

The applicant is Triplex Near the River, LLC, 10448 Kelowna View, Colorado Springs, CO 80908.

**LOCATION:**

The subject property is known as the Triplex Near The River Minor Subdivision and is located 119 and 125 River Ridge Lane, Salida, CO 81201 and is described as: Lot 2 and Lot 3, River Ridge Subdivision, City of Salida, Chaffee County, Colorado.



**PROCESS:**

This application is a limited impact review process for a minor subdivision. The purpose of the limited impact review is to assure that the proposal, in adequate detail, is drawn and submitted according to the requirements of the Land Use Code.

A public hearing is conducted by the Planning Commission for the minor subdivision process, after public notice in a newspaper of general circulation and posting on the property 15 days prior. The

Commission shall approve, approve with conditions, or deny the application, or remand it back to the applicant with instructions for modification or additional information or action.

Approval of the minor subdivision shall constitute authorization to proceed with recording the plat and commencing with the Subdivision.

**OBSERVATIONS:** This section is intended to highlight concerns raised by staff to assist the Commission in doing the same. Additional concerns or questions may arise after a presentation by the applicant.

- 1) The site is zoned High Density Residential (R-3) and is not within any overlays. \
- 2) The site is surrounded by High Density Residential (R-3) and Manufactured Housing Residential (R-4) zoning to the east, west, and south side of the property. The properties to the north of the site are in the County within Residential (RES) zone district.
- 3) This site was two (2) vacant lots of the River Ridge Subdivision prior to the construction of the triplex.



- 4) The minor subdivision is required because the applicant built the triplex over the existing lot line and is reconfiguring to create an additional lot.

- 5) The proposed subdivision will create three (3) lots with an attached unit on each lot. The R-3 zone district allows for the minimum lot size of an attached unit to be 2,160 square feet for developments that include one hundred (100) percent of the required affordable housing. Each lot meets the lot size requirement, Lot A is 3,686 square feet, Lot B is 3,225.8 square feet, and Lot C is 3,630 square feet.
- 6) Construction of the triplex is complete with issuance Certificate of Occupancy on September 15, 2022 by the Chaffee County Building Department. The Building Department has verified the construction of the 2-hour firewalls between the residences.
- 7) The applicant has submitted a preliminary party-wall agreement that must be updated and recorded prior to recording of the subdivision plat.
- 8) Each unit has separate utilities and are connected to water and sewer and is metered individually. There is a plat note regarding new utility easements and already dedicated easements filed in the River Ridge Subdivision for the newly created lots.



**REVIEW AGENCY COMMENTS:** The Public Works Director, Fire Chief, Police Chief, Finance Department, and the Chaffee County Director of Development Services were invited to comment on the subdivision plat application. The following comments were received in response to this request.

**Finance Department:** System Development fees have been paid on 119, 121, 125 River Ridge Lane. Nothing further is required by Salida Utilities.

**Salida Fire Department, Kathy Rohrich, Assistant Chief:** No concerns

**Salida Police Department, Russ Johnson, Chief:** No concerns

**Public Works Director, David Lady:** No concerns.

**Chaffee County Director of Development Services, Dan Swallow:** When asked if the Building Department field verified the setbacks this was the response we received:

The east wall of 125 River Ridge Lane is required to be 1-hour fire-resistance rated as it is closer than 5' to the property line. *\*\*Note. The Chaffee County Building Department issued CO on September 15, 2022 for the three (3) units.*



**SUBDIVISION REVIEW STANDARDS: (Section 16-6-120)**

1. **Conformance with the Comprehensive Plan.** The proposed subdivision shall carry out the purpose and spirit of the Comprehensive Plan and conform to all of the Plan's applicable objectives, guiding principles and recommended actions. It shall be designed to be compatible with surrounding land uses and to protect neighbors from undesirable noise, glare and shadows, and shall not cause adverse effects on their privacy, solar access and views.
  - The Comprehensive Plan identifies this area as vacant land/county lands. Infill, redevelopment and maximizing the density allowances are encouraged in Chapter 3, Land Use and Growth. The proposed minor subdivision creates three (3) lots that are compatible in size with other lots in the subdivision and the development provides the encouraged infill.
  - New development should complement the neighborhood's mass and scale. The triplex is two-story and compatible with the surrounding land uses of high density residential.
  
2. **Complies with the Zone District Standards.** The proposed subdivision shall comply with the use and dimensional standards of the underlying zone district and shall provide off-street parking as required for those uses.
  - The newly created lots are zoned R-3 High Density Residential and must meet the zone district standards.
  - The new development meets the spirit of the R-3 High Density Residential zone district providing for relatively high density duplex and multi-family residential areas, including primarily triplex, townhouse and apartment uses.
  - New development must comply with the zone district standards. In the R-3 zone district 3-4 units are administratively reviewed and approved as long as the applicant can meet the required Dimensional Standards. Staff reviewed and approved the development on August 12, 2021.
  - The standards have been met with the proposed attached units during the review process. The minimum lot size in the R-3 zone district is 2,160 square feet for attached units and the proposed lots meet the standards with the construction of the triplex.
  - The off-street parking requirement is one space for each unit. The total off-street parking spaces required for this project is one space per lot which is met with the attached garages.
  - Attached units require 15' of Lot frontage. Lot A frontage is 41.52 ft. Lot B frontage is 36.26 ft. Lot C frontage is 40.65 ft. This standard has been met.

- The maximum lot coverage of structures for each lot in the R-3 zone district is 50%. This standard has been met.

3. **Design Standards.** The proposed subdivision shall be provided with improvements which comply with Article VII and landscaping which complies with Section 16-8-90 of this Chapter.

- a. Streets. Existing and proposed streets shall be suitable and adequate to carry anticipated traffic within and in the vicinity of the proposed subdivision.
  - The existing streets are suitable for the proposed subdivision.
  - Sidewalks were installed along the frontage of the property during the substantial completion of public infrastructure approved by the Public Works Director for the River Ridge Subdivision.
- b. Utilities. Existing and proposed utility services shall be suitable and adequate to meet the needs of the proposed subdivision.
  - Adequate utilities are in place to serve the development. Each unit has separate utilities. All inspections were approved by Public Works for C.O. authorization.
- c. Phases. If the subdivision is to be developed in phases, each phase shall contain the required parking spaces, landscape areas, utilities and streets that are necessary for creating and sustaining a stable environment.
  - There will not be phases with this development.

4. **Natural Features.** The layout of lots and blocks shall provide desirable settings for structures by making use of natural contours and maintaining existing views, affording privacy for residents and protecting them from adverse noise and vehicular traffic. The system of roadways and the lot layout shall be designed to take advantage of visual qualities of the area. Natural features and native vegetation shall be preserved whenever possible. Tree masses and individual trees of six-inch caliper or greater shall be preserved.

- There are no major natural features located within this subdivision

5. **Floodplains.** Tracts of land or portions thereof lying within the one-hundred-year floodplain may only be subdivided for open space until the subdivider has shown that compliance with the requirements of the City’s floodplain regulations can be met.

- The subject property is not located within the 100-year floodplain.

6. **Noise Reduction.** Where a subdivision borders on or contains a highway right-of-way, the City shall require adequate provisions for reduction of noise. A parallel street, landscaping, screening, easement, greater lot depth, increased rear yard setbacks and fencing are potentially appropriate solutions, among others.

- This subdivision does not border a highway right-of-way.

7. **Future Streets.** When a tract is subdivided into lots or parcels which are intended for future resubdivision, such lots or parcels shall be arranged so as to permit the logical location and opening of future streets and appropriate resubdivision, with provision for adequate utility easements and connectors for such resubdivision.

- This subdivision is not intended for future resubdivision.

8. **Parks, Trails and Open Space.** Each subdivision, minor or major, or condominium project with five (5) units or more, shall dedicate and develop land or pay a fee-in-lieu for the purpose of providing active parks, open space, passive recreation facilities and/or recreation trails or other public purposes as determined by the City for the benefit of those who occupy the property and be made accessible to the public. The intent of this regulation is to ensure that a comprehensive, integrated network of parks, trails and open spaces is developed and preserved as the community grows.

- This subdivision has three (3) attached units. The proposed lots are within the land designated by the River Ridge Subdivision. The River Ridge subdivision provided public access to the west side of the Arkansas River and a trail easement along the east side of the river. This was deemed “extraordinary” by the Planning Commission and therefore the open space requirements have been met.

9. **Common Recreation Facilities.** Where a development is proposed to contain common recreation facilities, such facilities shall be located within the development so as to be easily accessible to the residents and to least interfere with neighboring developments.

- This development does not include any common recreation facilities.

10. **Lots and Blocks.**

a. **Pattern.** The size, shape and orientation of lots shall be appropriate to the design and location of the proposed subdivision and to the type of development contemplated. Where appropriate, lots shall be laid out to respect the existing City pattern. Blocks generally shall not be less than three hundred (300) feet nor more than one thousand two hundred (1,200) feet in length.

- The proposed lots do follow the existing subdivision grid pattern and are appropriate for the type of development that was constructed.

b. **Frontage.** Residential lots should front only on local streets; however, when necessary, lots designated to face a collector street shall provide adequate means for automobile turnaround within the lot and should provide consolidated access points to the maximum extent feasible.

- This review standard has been met.

- c. Right angles. Side lot lines shall be approximately at right angles or radial to street lines.
  - This standard has been met.
- d. Double frontage lots. Double frontage lots are prohibited, except where they are necessary to provide for the separation of residential development from collector or arterial streets or to overcome specific limitations of topography or orientation. A planting and screening easement of at least ten (10) feet shall be provided along the portion of the lot which abuts such a collector or arterial street. There shall be no right of access across a planting and screening easement. The screening easement shall be maintained by the property owner.
  - Double frontage lots are not proposed.
- e. "T" intersections. The building area of lots shall not face directly into the oncoming traffic of an intersecting street of a "T" intersection.
  - There will not be any building areas facing a "T" intersection.
- f. Solar energy.
  - This standard applies to detached single family homes and not attached units.

**11. Architecture.**

- Although this residential subdivision is less than five lots it has to meet the architectural standards set forth by the River Ridge Subdivision. The minimum standard is the same building front elevation cannot be repeated more than every fifth lot or directly across the street. This standard has been met as no other residence in the subdivision replicated the same building front elevation.

**12. Fair Contributions for Public School Sites.**

- A payment for the fee in lieu for Fair Contributions for Public School sites has been paid on August 12, 2021.

**13. Inclusionary Housing.**

- The inclusionary housing requirement has been met by the River Ridge Subdivision with the completion of eight (8) units by Chaffee Housing Trust on Lot 1 of the River Ridge Subdivision. According to the River Ridge Subdivision Improvement Agreement Lot 2 and Lot 3 were allotted a total of four (4) units prior to any fees in lieu kicking in. Only three (3) units were built.

**EXHIBIT F**

LOT #	TYPE	Units Covered by Lot 1 Deed Restriction	%
1	Inclusionary Housing Deed Restricted	8	12.5%
2	INTERIOR	2	
3	INTERIOR	2	

**REQUIRED ACTIONS BY THE COMMISSION:**

1. The Commission shall confirm that adequate notice was provided and a fee paid.
2. The Commission shall conduct a public hearing.
3. The Commission shall make findings regarding the proposed use in order to ensure the use is consistent with the Comprehensive Plan, conforms to the Land Use Code, is appropriate to its location and compatible with neighboring uses, is served by adequate public facilities and does not cause undue traffic congestion or significant deterioration of the environment.

**STAFF RECOMMENDATION:**

Staff recommends the Planning Commission approve the minor subdivision application, subject to the condition below.

**Prior to recording the Subdivision Plat:**

1. That the party-wall agreement be recorded prior to recording of the subdivision plat.

**RECOMMENDED MOTION: “I make a motion to approve the Triplex Near The River Minor Subdivision as it meets the review standards for a subdivision, subject to the condition recommended by staff.”**

Attachments:

1. Application for Minor Subdivision
2. Triplex Near The River Minor Subdivision Plat
3. Proof of Publication

**PUBLIC NOTICE**  
**NOTICE OF A PUBLIC HEARING BEFORE**  
**THE PLANNING COMMISSION FOR**  
**THE CITY OF SALIDA CONCERNING A**  
**LIMITED IMPACT REVIEW APPLICATION**  
**TO ALL MEMBERS OF THE PUBLIC**  
**AND INTERESTED PERSONS: PLEASE**  
**TAKE NOTICE** that on Monday, October 24, 2022 at or about the hour of 6:00 p.m., a public hearing will be conducted by the City of Salida Planning Commission at City Council Chambers, 448 E. 1st Street, Salida, Colorado and online at the following link: <https://attendee.gotowebinar.com/>

10/10/22, 11:58 AM

Print E-Edition Clipping

rt/1909092342220683277

The hearing is regarding a Limited Impact Review application submitted by Triplex Near the River, LLC (represented by Barry Farah) for approval of a minor subdivision to subdivide the parcels known as 119 River Ridge Lane and 125 River Ridge Lane, into three (3) lots.

Interested individuals are encouraged to attend the public hearing or make comments during the public hearing via GoToWebinar at the above link.

Approval of the limited impact review application shall constitute authorization to proceed with recording the plat and commencing with the subdivision. Further information on the application may be obtained from the Community Development Department by calling (719) 530-2638.

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

Published in The Mountain Mail October 7, 2022



**NOTICE OF A PUBLIC HEARING BEFORE THE PLANNING COMMISSION FOR THE CITY OF SALIDA CONCERNING A LIMITED IMPACT REVIEW APPLICATION**

**TO ALL MEMBERS OF THE PUBLIC AND INTERESTED PERSONS: PLEASE TAKE NOTICE** that on **Monday, October 24, 2022** at or about the hour of **6:00 p.m.**, a public hearing will be conducted by the City of Salida Planning Commission of City Council Chambers, 448 E. 1<sup>st</sup> Street, Salida, Colorado and online at the following link: <https://www.salidacolorado.com/DocumentCenter/View/1290954/202210241327>

The hearing is regarding a Limited Impact Review application submitted by **Triple Nine the River, LLC** represented by **Bruce Finkbe** for approval of a reuse application to subdivide the parcel known as 119 River Ridge Lane and 125 River Ridge Lane, into three (3) lots.

Interested individuals are encouraged to attend the public hearing or make comments during the hearing via GoToMeeting at the above link.

Approval of the limited impact review application shall constitute authorization to proceed with recording the plat and commencing with the subdivision. Further information on the application may be obtained from the Community Development Department by calling (719) 530-2636.

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# 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)

- Annexation
- Pre-Annexation Agreement
- Variance
- Appeal Application (Interpretation)
- Certificate of Approval
- Creative Sign Permit
- Historic Landmark/District
- License to Encroach
- Text Amendment to Land Use Code
- Watershed Protection Permit
- Conditional Use
- Administrative Review:  
(Type)\_\_\_\_\_
- Limited Impact Review:  
(Type) Minor Subdivision
- Major Impact Review:  
(Type)\_\_\_\_\_
- Other:\_\_\_\_\_

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

### A. Applicant Information

Name of Applicant: Triplex Near the River, LLC/ Barry Farah

Mailing Address: 10448 Kelowna View Colorado Springs, CO 80908

Telephone Number: 719-510-9222 FAX: \_\_\_\_\_

Email Address: barryfarah@gmail.com

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

### B. Site Data

Name of Development: Triplex Near the River

Street Address: 119, 121 & 125 River Ridge Lane Salida CO

Legal Description: Lot 2&3 Block \_\_\_\_\_ Subdivision River Ridge (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  Date 8/31/2022

Signature of property owner  Date 8/31/2022





# 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
3. Staff Review. Staff report or decision forwarded to the applicant (Administrative review)
4. Public Notice
5. Public Hearing with Planning Commission (Limited Impact and Major Impact Review Applications)
6. Public Notice
7. Hearing Conducted by City Council (Major Impact Review)

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

1. A General Development Application
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. *\*major impact only*
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 proof of posting the public notice.

- 6. 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).

- 7. Any request for zoning action, including review criteria for a requested conditional use (Sec. 16-4-190 ) or zoning variance (Sec. 16-4-180);

8. Any subdivision request including a plat meeting the requirements of Section 16-6-110;

9. 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 drainageways 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;

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

11. 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.

The Triplex is consistent.

**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 Triplex project complies with Zoning requirements.

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

Site development complies.

**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.

Residential use complies.

**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 Triplex project complies.

**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.

The Triplex project complies.

**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 Triplex project complies.

Re: 110, 121 & 125 River Ridge

Written Description of the proposed development.

These are completed Townhomes which were developed as a Triplex property on lot 2&3, subdividing into three independent lots.

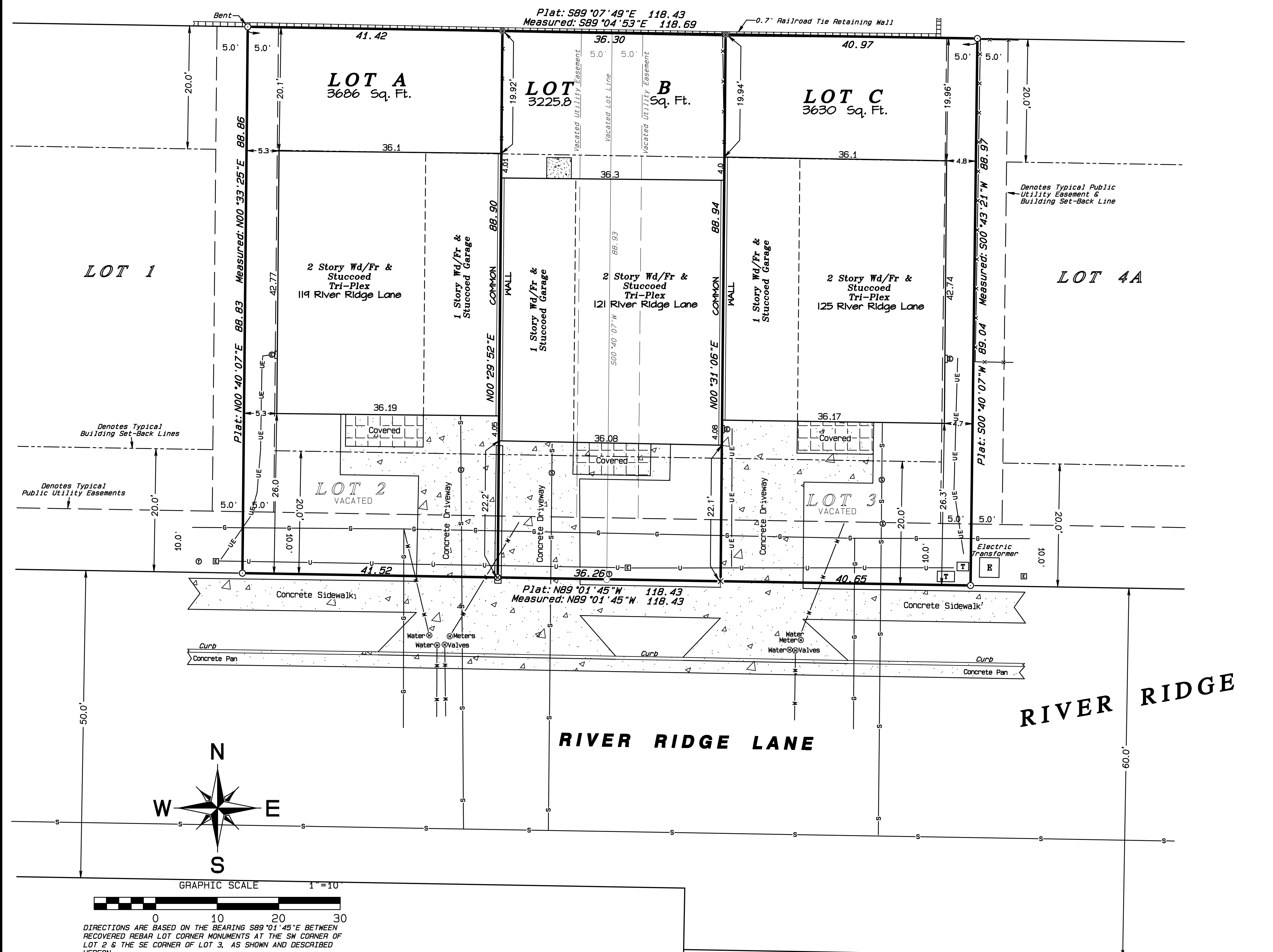
Thank you,



9/26/2022

Barry Farah, Managing Member of the Member of  
Triplex Near the River, LLC

**TRIPLEX NEAR THE RIVER MINOR SUBDIVISION**  
 BEING A REPLAT OF  
 LOTS 2 AND 3, RIVER RIDGE SUBDIVISION in the CITY OF SALIDA  
 CHAFFEE COUNTY, COLORADO



**CERTIFICATE OF DEDICATION AND OWNERSHIP:**

KNOW ALL MEN BY THESE PRESENTS, THAT THE UNDERSIGNED, BEING ALL OF THE OWNERS, MORTGAGEES AND LIEN HOLDERS OF CERTAIN LAND IN THE CITY OF SALIDA, CHAFFEE COUNTY, COLORADO, DESCRIBED AS FOLLOWS:  
 LOTS 2 AND 3, RIVER RIDGE SUBDIVISION, (CITY OF SALIDA), COUNTY OF CHAFFEE, STATE OF COLORADO.  
 DO HEREBY LAY-OUT, PLAT AND SUBDIVIDE THE ABOVE DESCRIBED PROPERTY, WITH BEARINGS, DISTANCES AND EASEMENTS AS SHOWN ON THIS PLAT, TO BE KNOWN AS:

**LOTS A, B & C, TRIPLEX BY THE RIVER MINOR SUBDIVISION**  
 A REPLAT OF LOTS 2 & 3, RIVER RIDGE  
 A SUBDIVISION IN THE  
 CITY OF SALIDA  
 CHAFFEE COUNTY, COLORADO

AND THE COMMON LOT LINE BETWEEN LOTS 2 AND 3, RIVER RIDGE, AND ADJACENT UTILITY EASEMENTS AND BUILDING SET-BACK LINES ARE HEREBY VACATED.  
 AND THE LOTS REMAIN SUBJECT TO THE PUBLIC UTILITY EASEMENTS DEDICATED AND SHOWN ON THE FILED PLAT OF RIVER RIDGE (RECEPTION NO. 458348), AND AS SHOWN ON THIS PLAT.  
 AND THE LOTS ARE SUBJECT TO THE TERMS, CONDITIONS, PROVISIONS AND OBLIGATIONS SET FORTH IN THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR RIVER RIDGE RECORDED AT RECEPTION NO. 458347 OF THE CHAFFEE COUNTY RECORDS.  
 AND THE LOTS SHALL BE SUBJECT TO EASEMENTS FOR UNDERGROUND UTILITY LINES, IF ANY, WHICH CROSS ONE LOT TO PROVIDE SERVICE TO THE OTHER AND EACH LOT WILL CARRY WITH IT AN EASEMENT OF SUFFICIENT WIDTH TO OPERATE, MAINTAIN, REPAIR AND REPLACE SUCH UTILITY LINES WHICH CROSS AN ADJACENT LOT OR ARE SHARED. THE APPROXIMATE LOCATIONS OF APPARENT UTILITY LINES ARE SHOWN HEREON, HOWEVER THE ACTUAL LOCATION OF SUCH LINES SHALL CONTROL THE LOCATIONS OF THE EASEMENTS.  
 AND THE LOTS SHALL BE SUBJECT TO THE TERMS AND CONDITIONS OF THE PARTY WALL AGREEMENT AND DECLARATION RECORDED AT RECEPTION NO. \_\_\_\_\_ OF THE CHAFFEE COUNTY RECORDS.  
 AND THE LOTS REMAIN SUBJECT TO ALL TERMS, CONDITIONS, DEDICATIONS, RESTRICTIONS, GENERAL NOTES AND CERTIFICATES CONTAINED ON THE FILED PLAT OF RIVER RIDGE, RECEPTION NO. 458348, EXCEPT AS AMENDED BY THIS PLAT.

**ACKNOWLEDGEMENTS:**

IN WITNESS WHEREOF, THE UNDERSIGNED HAVE CAUSED THESE PRESENTS TO BE EXECUTED ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022.  
 TRIPLEX NEAR THE RIVER, LLC  
 A COLORADO LIMITED LIABILITY COMPANY

\_\_\_\_\_  
 BARRY FARAH, MEMBER OWNER

STATE OF COLORADO } SS  
 COUNTY OF \_\_\_\_\_ }  
 THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022.  
 WITNESS MY HAND AND OFFICIAL SEAL.  
 MY COMMISSION EXPIRES \_\_\_\_\_

NOTARY PUBLIC: \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_

IN WITNESS WHEREOF, THE UNDERSIGNED HAVE CAUSED THESE PRESENTS TO BE EXECUTED ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022.  
 ADAMS BANK AND TRUST (MORTGAGEE)

FOR ADAMS BANK AND TRUST

STATE OF COLORADO } SS  
 COUNTY OF \_\_\_\_\_ }  
 THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022.  
 WITNESS MY HAND AND OFFICIAL SEAL.  
 MY COMMISSION EXPIRES \_\_\_\_\_

NOTARY PUBLIC: \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_

**CERTIFICATE OF TITLE INSURANCE COMPANY:**

I, \_\_\_\_\_, A LICENSED TITLE INSURANCE EXAMINER REPRESENTING WESTCOR LAND TITLE INSURANCE COMPANY IN THE STATE OF COLORADO DO CERTIFY THAT I HAVE EXAMINED THE TITLE TO THE REAL PROPERTY DEDICATED AND SHOWN ON THIS PLAT AND FOUND TITLE VESTED IN TRIPLEX NEAR THE RIVER, LLC, A COLORADO LIMITED LIABILITY COMPANY, FREE AND CLEAR OF ALL LIENS AND ENCUMBRANCES, EXCEPT:

**LAND SURVEYOR'S STATEMENT:**

I, MICHAEL K. HENDERSON, A REGISTERED LAND SURVEYOR LICENSED TO PRACTICE IN THE STATE OF COLORADO, DO HEREBY STATE THAT THIS PLAT WAS PREPARED BY ME AND IS BASED ON A MONUMENTED LAND SURVEY OF THE PROPERTY SHOWN AND DESCRIBED ON THIS PLAT, AS WELL AS THE NEAR LOTS, THAT SAID SURVEY WAS PERFORMED UNDER MY DIRECT SUPERVISION, AND THAT SAID SURVEY AND PLAT ARE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.  
 DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022.

\_\_\_\_\_  
 TITLE EXAMINER

**GENERAL LAND SURVEYOR'S NOTES:**

- 1) PROPERTY DESCRIPTION AND RECORD EASEMENT RESEARCH BASED ON WESTCOR LAND TITLE INSURANCE COMPANY COMMITMENT FILE NO. H212028-C3, ISSUED BY HOMESTEAD TITLE & ESCROW, EFFECTIVE APRIL 26, 2021.
- 2) DEED LINES ARE BASED ON AFOREMENTIONED PROPERTY DESCRIPTION ON THE FILED PLAT OF RIVER RIDGE, A SUBDIVISION IN THE CITY OF SALIDA AND ON THE LOCATIONS OF THE RECOVERED REBAR SURVEY MONUMENTS SHOWN AND DESCRIBED ON THIS PLAT.
- 3) THE LOCATIONS OF WATER, SEWER, GAS AND UNDERGROUND ELECTRIC LINES TO THE BUILDINGS, AS SHOWN HEREON ARE APPROXIMATE.
- 4) BUILDING DIMENSIONS ARE ALONG AND TO EXTERIOR BUILDING WALLS AND ARE, AS ARE ALL DISTANCES, U.S. SURVEY FEET.

\_\_\_\_\_  
 MICHAEL K. HENDERSON  
 REG. L.S. NO. 16117  
 STATE OF COLORADO

- LEGEND:**
- ⊕ DENOTES A RECOVERED 5/8" REBAR WITH A 1 1/2" ALUMINUM CAP STAMPED "LANDMARK 37937", & WITH LOT NUMBERS.
  - ⊕ DENOTES A 5/8" REBAR WITH A 1 1/2" ALUMINUM CAP STAMPED "LS 16117", SET FOR THIS SURVEY.
  - ⊕ DENOTES A 2" ALUMINUM DISC STAMPED "LS 16117" NAILED TO RAILROAD TIE RETAINING WALL.
  - ⊕ DENOTES AN X CHISELED IN SIDE OF CONCRETE DRIVEWAY.
  - S—S DENOTES APPROXIMATE LOCATIONS OF SEWER LINES, AND SEWER CLEAN-OUTS.
  - W—W DENOTES APPROXIMATE LOCATIONS OF WATER LINES.
  - U—U DENOTES APPROXIMATE LOCATIONS OF UNDERGROUND ELECTRIC, TELEPHONE AND/OR TELEVISION LINES.
  - G—G DENOTES APPROXIMATE LOCATIONS OF UNDERGROUND GAS LINES.
  - E—E DENOTES APPROXIMATE LOCATIONS OF UNDERGROUND ELECTRIC LINES.
  - ⊕ DENOTES A TELECOMMUNICATIONS CANISTER.
  - ⊕ DENOTES A TELECOMMUNICATIONS RISER.
  - ⊕ DENOTES AN ELECTRIC RISER.
  - ⊕ DENOTES AN ELECTRIC METER.
  - X—X DENOTES A FENCE

**CITY OF SALIDA PLANNING COMMISSION APPROVAL:**

THIS PLAT IS APPROVED BY THE CITY OF SALIDA PLANNING COMMISSION ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022.

\_\_\_\_\_  
 CHAIRMAN

**CITY ADMINISTRATOR APPROVAL:**

THIS PLAT IS APPROVED BY THE SALIDA CITY ADMINISTRATOR ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022.

\_\_\_\_\_  
 CITY ADMINISTRATOR, CITY OF SALIDA

**NOTE:**  
 IN ACCORDANCE WITH SECTION 16-6-140, THE FEES FOR FAIR CONTRIBUTION TO SCHOOLS WERE PAID IN FULL FOR THREE UNITS ON \_\_\_\_\_, 2022.

**CLERK AND RECORDER'S CERTIFICATE:**

THIS PLAT WAS FILED IN THE OFFICE OF THE CLERK AND RECORDER OF CHAFFEE COUNTY, COLORADO AT \_\_\_\_\_ M. ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2022.  
 RECEPTION NO. \_\_\_\_\_

\_\_\_\_\_  
 CHAFFEE COUNTY CLERK & RECORDER

<b>TRIPLEX NEAR THE RIVER MINOR SUBDIVISION</b> A REPLAT OF LOTS 2 & 3, RIVER RIDGE in the CITY OF SALIDA, COLORADO	
Job Number: J-22-162 DESIGNED BY: B. S. H. DRAWN BY: TMOO CAD CHECKED BY: M. K. H. Field Book: 5344 Pages 1 & 2	<b>HENDERSON LAND SURVEYING CO., INC.</b> 203 G STREET SALIDA, COLORADO
DATE: 9/24/22	DRAWING NO. L-22-62





## STAFF REPORT

**MEETING DATE:** October 24, 2022

**AGENDA ITEM TITLE:** Limited Impact Review - Shaken Roost Minor Subdivision

**AGENDA SECTION:** Public Hearings

### REQUEST:

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

### APPLICANT:

The applicants are Jamie and Joni Baker and Aaron and Hannah Peyrouse. Joni Baker will be representing the owners for the Limited Impact Review application.

### LOCATION:

The legal description of the property is included in the application materials. This property is known as 77 Illinois Avenue and 620 Teller Street.

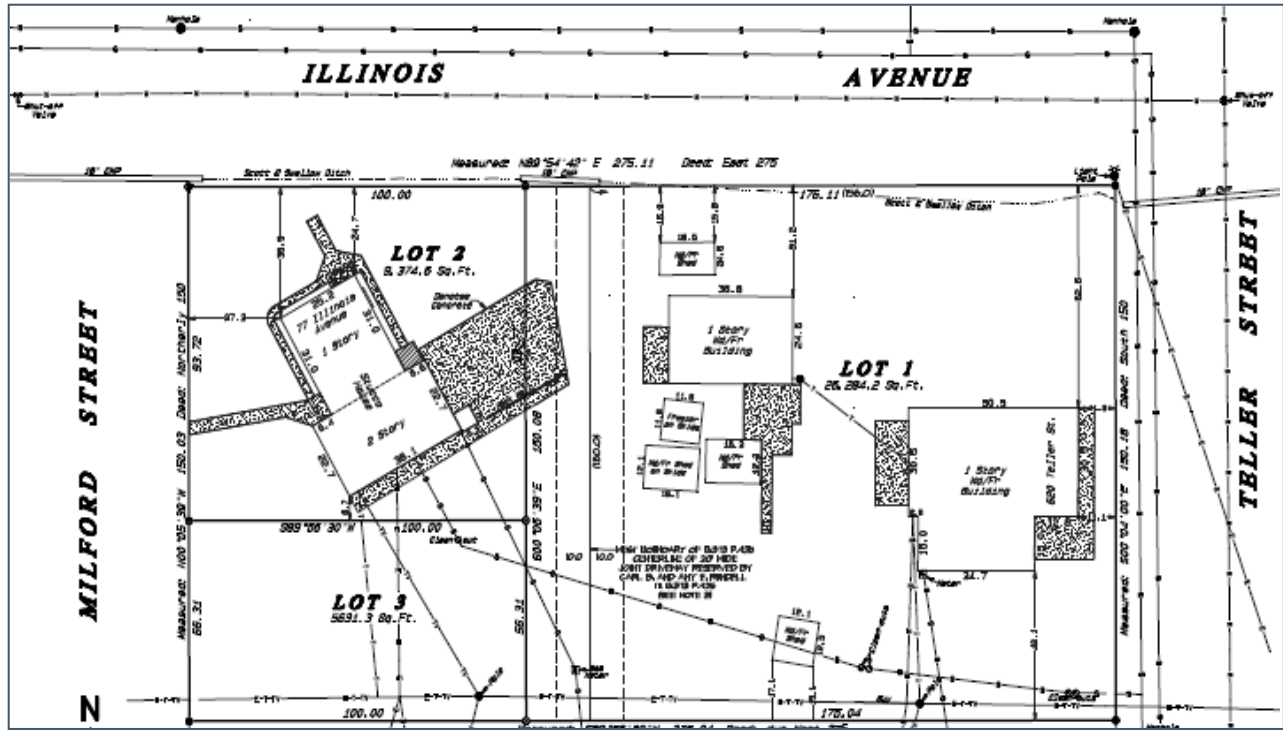


**OBSERVATIONS:**

- 1) The property is within the Commercial (C-1) zone district and properties surrounding this parcel are also located within the Commercial (C-1) zone district. The property is across the street from the Salida School District property and the remaining neighboring properties are mainly residential.

There is one single-family residence, a commercial building and several out-buildings on the .95 acre parcel.

- 2) The proposed subdivision will create three (3) lots from one (1) existing parcel. All three lots meet the minimum dimensional standard requirements of the Commercial (C-1) zone district.



- 3) The single-family residence located on Lot 2 is connected to the City’s sewer and crossing all three of the proposed lots. Prior to recording the subdivision plat the sewer line serving the single family residence must be relocated to the sewer main in Illinois Ave.

- 4) The existing parcel is not connected to the City’s water system, there is an existing well located on Lot 2 used for the residence and was also plumbed to the commercial building on the proposed Lot 1. As a condition of approval the applicants must install water service to the single-family residence on Lot 2.



The well can remain on Lot 2 and be used for irrigation only. The former owner of this property paid the system development fees for water service for 77 Illinois Avenue and 620 Teller Street.

- The Public Works Director is requiring that the connections be made to the water main on Illinois Avenue.

5) Proposed Lot 3 does not have public water or sewer available in Milford Street and will be required to have easements from Lot 2 for connection to services within Illinois Avenue. There is a blanket easement shown on the plat for all of the proposed lots but the Utility Companies and the Public Works Director require utility easements on each lot.

AND THE LOTS SHALL BE SUBJECT TO EASEMENTS FOR SEWER, WATER, GAS, ELECTRIC, TELEPHONE AND TELEVISION LINES WHICH CROSS ONE LOT TO PROVIDE SERVICE TO ANOTHER LOT OR ANOTHER PROPERTY, WHICH EASEMENTS SHALL BE OF SUFFICIENT WIDTHS TO OPERATE, MAINTAIN, INSPECT AND REPAIR SUCH LINES. THE APPROXIMATE LOCATIONS OF SAID UTILITY LINES ARE SHOWN HEREON, HOWEVER THE ACTUAL LOCATIONS OF SAID LINES SHALL CONTROL THE LOCATIONS OF THE EASEMENTS.

AND LOT 1 MAY BE SUBJECT TO THE RIGHTS OF THE OWNERS OF THE SCOTT & SHALLOW DITCH TO OPERATE, MAINTAIN, INSPECT AND REPAIR SAID DITCH PURSUANT TO COLORADO LAW RELATIVE TO DITCH RIGHTS.

6) Land Use Code Sec. 16-8-20 (13)(i) requires local streets to have a detached sidewalk of a least five (5) feet wide. Detached sidewalks are required to be separated by a distance of at least five and one half (5 ½) feet from the curb or street pavement edge.

- As a condition of approval the following plat note must be added prior to recording the subdivision plat:

That curb, gutter and sidewalks be installed along the entire frontage of the property prior to issuance of building permit for new structures on any lot. Or the Public Works Director may determine that payment for fee in lieu of the curb, gutter and sidewalk will be required.

At the time of development of each lot the Public Works Director shall review and approve the engineered design drawings prior to installation of the curb, gutter and sidewalk.

**REVIEW AGENCY COMMENTS:**

**Finance Department:** System Development fees for water were paid for on both 620 Teller Street & 77 Illinois Avenue in March 2020. Previous to the fees being paid these were sewer only utility accounts. Lot 1 has the right to a ¾” Commercial water and sewer tap and meter. Lot 2 has the right to a ¾” residential water and sewer tap as well as a meter. Further development of these properties will require system development fees (and meter fees) to be paid for each unit built.

**Salida Fire Department, Kathy Rohrich, Assistant Chief:** No concerns at this time.

**Public Works Director, David Lady:** Currently, there are multiple utility service encroachments on Lots 1 & 3. Lot 3 does not have any public water or sewer fronting the property. Plans for addressing these concerns will need to be submitted for review.

**Salida School District Superintendent, David Blackburn:** We will accept fees in lieu of land.

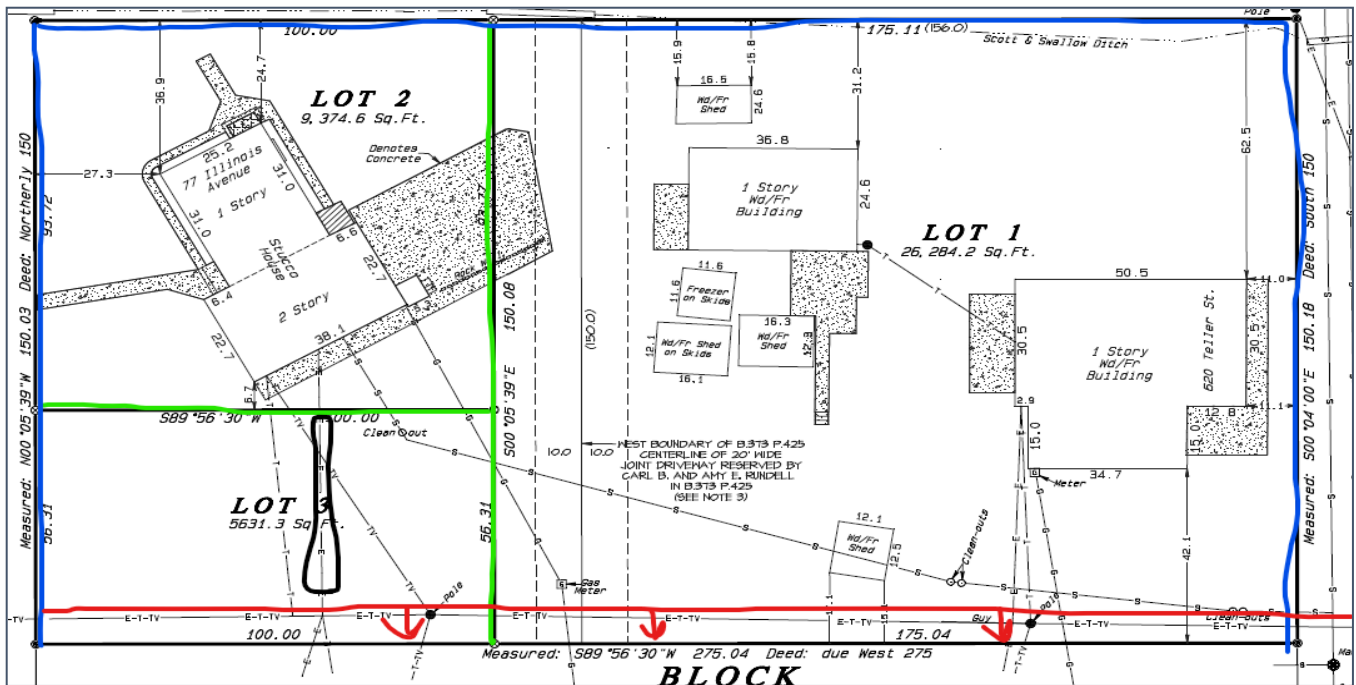
**Atmos Energy, Dan Higgins:** Atmos Energy objects to this subdivision until the gas service line and fuel run serving the existing residence on lot 2 are accounted for appropriately. Please advise the developer to contact Atmos Energy to make said arrangements.

**Excel Energy, Sterling Waugh:** Xcel requests 10' front lot easements or 10' easements on property lines adjacent to a road, not alley. Below in blue.

5' side lot easements, 5' rear lot easements, excluding the alley property line. Below in green.

Property line near alley have an easement that has the existing power line in it and south so we have the legal right to serve any new loads to the south. Below in red.

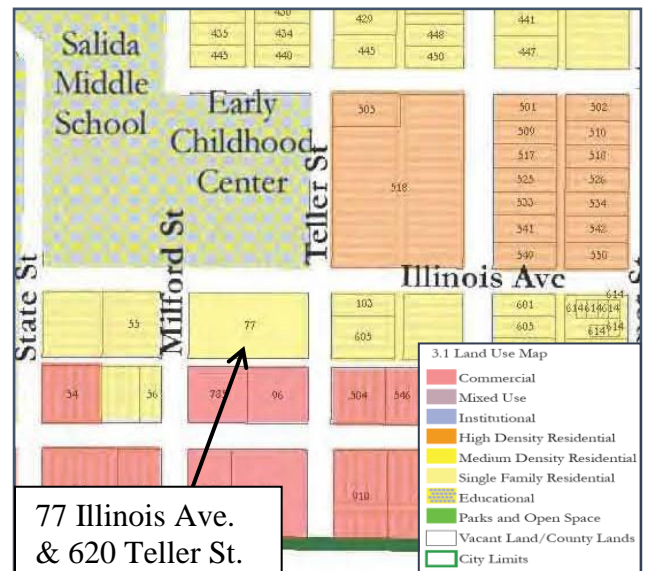
Relocate existing services into utilities to easements. Below in black.



**SUBDIVISION REVIEW STANDARDS: (Section 16-6-120)**

- 1. Comprehensive Plan.** The proposed subdivision shall carry out the purpose and spirit of the Comprehensive Plan and conform to the Plan's applicable objectives, guiding principles and recommended actions. It shall be designed to be compatible with surrounding land uses and to protect neighbors from undesirable noise, glare and shadows, and shall not cause adverse effects on their privacy, solar access and views.

The Comprehensive Plan identifies this area as medium density residential. Infill, redevelopment and maximizing the density allowances are encouraged in Chapter 3, Land Use and Growth.



**Policy LU&G-I.2:** Infill and redevelopment should be encouraged and will advance the objectives of this plan.

- The property has the commercial building and several storage buildings located on Lot 1 and a single-family residence located on Lot 2. The remaining parcel is undeveloped. Approval of the subdivision would offer greater opportunity for infill.

**Action LU&G-I.2a:** Encourage projects to use maximum density allowances to make the best use of the available infrastructure.

- In the future, the owners will be constructing townhomes on Lot 1 and will utilize maximum residential density allowed.

2. **Zone District Standards.** The proposed subdivision shall comply with the use and dimensional standards of the underlying zone district and shall provide off-street parking as required for those uses.

- This property is located within the Commercial (C-1) zone district. According to the Land Use Code Article 16-4-80: The purpose of the Commercial (C-1) district is to provide for commercial and service businesses in a pattern that allows ease of access by both vehicles and pedestrians. Typically, residential uses are conditional within a C-1 zone district. Areas designated Commercial (C-1) are located primarily along the City’s main entrance corridors. Residential uses require administrative or limited impact review approval.

- Lot 1 contains an existing commercial building and several storage buildings, Lot 2 contains the existing single-family residence and Lot 3 is vacant. All of the structures on the proposed lots meet the dimensional standards.



- The limited impact review application does not include development plans, but future development will require that the C-1 zone district dimensional standards be met.

3. **Improvements.** The proposed subdivision shall be provided with improvements which comply with Article VIII and landscaping which complies with Section 16-8-90 of this Chapter.

i. **Streets.** Existing and proposed streets shall be suitable and adequate to carry anticipated traffic within and in the vicinity of the proposed subdivision.

- The existing streets are suitable to meet the proposed minor subdivision.

ii. **Utilities.** Existing and proposed utility services shall be suitable and adequate to meet the needs of the proposed subdivision.

- It is unclear whether the commercial building on Lot 1 has connections to City utilities as none were shown on the plat. The applicants have stated that all utilities for the commercial building will be disconnected and the building will be tore down in the future. Currently, Lot 1 is paying monthly water and sewer service charges for ¾” Commercial tap.

- Lot 2 is connected to the City’s sewer system. The existing sewer connection to the residence on Lot 2 must be disconnected and a new connection for both water and sewer made to the water and sewer mains in Illinois Avenue. Currently, Lot 2 is paying monthly water and sewer service charges for ¾” single-family residential tap.
- None of the buildings on the .95 acre parcel are connected to the City’s water system. On Lot 2 there is an existing well that is used for the residence and also plumbed to the commercial building on Lot 1.
- As a condition of approval the applicant must install water service to the single-family residence on Lot 2 and the water service line must be shown on the plat.

➤ The Public Works Director is requiring that the connections be made to the water main on Illinois Avenue.

- Water and sewer are located in Illinois Avenue for future development. Depending on future development plans on each of the lots water and wastewater system development fees, according to Chapter 13, will be required based on the proposed use.
- iii. **Phases.** If the subdivision is to be developed in phases, each phase shall contain the required parking spaces, landscape areas, utilities and streets that are necessary for creating and sustaining a stable environment.
- The applicants do not have development plans with this Minor Subdivision.

4. **Natural Features.** The layout of lots and blocks shall provide desirable settings for structures by making use of natural contours and maintaining existing views, affording privacy for residents and protecting them from adverse noise and vehicular traffic.

- There are no major natural features located within this subdivision

5. **Floodplains.**

- The property is not located within the 100-year floodplain.

6. **Noise Reduction.** Where a subdivision borders on or contains a highway right-of-way, the City shall require adequate provisions for reduction of noise.

- This subdivision does not border a Highway right-of-way.

7. **Future Streets.** When a tract is subdivided into lots or parcels which are intended for future resubdivision, such lots or parcels shall be arranged so as to permit the logical location and opening of future streets and appropriate resubdivision, with provision for adequate utility easements and connectors for such resubdivision.

- The applicants may request approval of a Major Impact Review for re-subdivision of Lot 1 in the future but future streets will not be required.

8. **Parks, Trails and Open Space.** Each subdivision, minor or major, or condominium project with five (5) units or more, shall dedicate and develop land or pay a fee-in-lieu for the purpose of providing active parks, open space, passive recreation facilities and/or recreation trails or other public purposes as determined by the City for the benefit of those who occupy the property and be made accessible to the public. The intent of this regulation is to ensure that a comprehensive, integrated network of parks, trails and open spaces is developed and preserved as the community grows.

- The applicants have not proposed dedication of land for parks and open space with this subdivision application. With any new residential development the applicant will be required to pay the fee-in-lieu of open space per residential unit.

9. **Common Recreation Facilities.** Where a development is proposed to contain common recreation facilities, such facilities shall be located within the development so as to be easily accessible to the residents and to least interfere with neighboring developments.

- There are no development plans with this application.

10. **Lots and Blocks.** Pattern - The size, shape and orientation of lots shall be appropriate to the design and location of the proposed subdivision and to the type of development contemplated. Where appropriate, lots shall be laid out to respect the existing City pattern. Blocks generally shall not be less than three hundred (300) feet nor more than one thousand two hundred (1,200) feet in length.

- This subdivision does not create a new grid.

11. **Architecture.** This standard applies to residential subdivisions of five lots or more.

- This standard does not apply to this subdivision.

12. **Fair Contributions for Public School Sites (16-6-140).**

- With any new residential development the applicant will be required to pay the fair contributions for Public School Sites at the time of building permit submittal for each residential unit.

13. **Inclusionary Housing Requirement –**

- As a condition of approval, a plat note must be added that future residential development must meet the current requirements of Article XIII of the Salida Municipal Code regarding Inclusionary Housing which may require deed restricted affordable housing and/or fees-in-lieu.

**RECOMMENDED FINDINGS:** The purpose of the limited review process for a minor subdivision is to determine the compliance of the application with the review standards contained in Section 16-6-120.

- 1) The application complies with the comprehensive plan and the proposed subdivision shall carry out the purpose and spirit of the comprehensive plan and conform to all of the applicable objectives, guiding principles and recommended actions.
- 2) This application complies with the standards and uses of the C-1 zone district.
- 3) The applicant has complied with all city codes for the proposed minor subdivision.

**RECOMMENDED ACTION:**

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

The Commission approve the Limited Impact Review application to subdivide one (1) parcel into three (3) lots at 77 Illinois Avenue and 620 Teller Street, subject to the conditions listed below:

**Prior to recording the Shaken Roost Minor Subdivision the following conditions must be met:**

- 1. The City Administrator’s signature block must be removed.
- 2. The sewer line serving the single family residence must be relocated to the City’s sewer main in Illinois Ave.
- 3. The well located on Lot 2 and plumbed to the commercial building must be disconnected from the residence and the commercial building. The applicant will need to install water service to the single-family residence on Lot 2. Future development will be required to connect to the water main in Illinois Avenue.
- 4. All utilities to the commercial building on Lot 1 must be disconnected.
- 5. Utility easements must be added to the plat and requirements of all utility companies must be met.
- 6. A plat note be added with the following language; The Public Works Director may determine that curb, gutter and sidewalks be installed along the entire frontage of the property prior to issuance of any building permits. Or that payment for fee in lieu of the curb, gutter and sidewalk will be required.

Public Works Director shall review and approve engineered design drawings prior to installation of curb, gutter and sidewalk.

- 7. A plat note be added with the following language – “Pursuant to section 16-6-120 (8), Parks, Trails and Open Space, of the Salida Municipal Code, as may be amended, at the time that residential dwelling units are constructed on any of the lots herein, either by further subdivision or building permit approval, land dedication and/or fees-in-lieu for parks, trails and open space in the amount then in effect shall be payable to the City prior to issuance of building permits.”



8. A plat note be added with the following language “Pursuant to Section 16-6-140 a payment in lieu of land dedication for fair contributions for public school sites shall be paid by the owner of each lot within this subdivision prior to issuance of a building permit for any new residential unit on such lot”.
9. A plat note be added that future residential development must meet the Inclusionary Housing requirements of Article XIII of Salida Municipal Code which may require deed restricted affordable housing and/or fees-in-lieu.

**RECOMMENDED MOTION: “I make a motion to approve the Shaken Roost Minor Subdivision as it meets the Subdivision Review Standards, subject to the conditions recommended by staff.**

- Attachments:
- Proof of publication
  - Review agencies responses
  - Minor Subdivision Application
  - Plat
  - Copy of plat with notes

**PUBLIC NOTICE**  
**NOTICE OF PUBLIC HEARING BEFORE**  
**THE PLANNING COMMISSION FOR**  
**THE CITY OF SALIDA CONCERNING A**  
**LIMITED IMPACT REVIEW APPLICATION**  
**TO ALL MEMBERS OF THE PUBLIC AND**  
**INTERESTED PERSONS:**  
PLEASE TAKE NOTICE: that on October 24, 2022 at or about the hour of 6:00 p.m., a public hearing will be conducted by the City of Salida Planning Commission at City Council Chambers, 448 East First Street, Suite 190, Salida, Colorado and online at the following link: <https://attendee.gotowebinar.com/rt/1909092342220683277>  
The applicants Shaken Roost LLC, represented by Joni Baker, have submitted a limited impact review application for approval of a Minor Subdivision. The applicants are requesting to subdivide the parcel known as 77 Illinois Avenue and 620 Teller Street, into three individual lots. The subject property is legally described as: Township 49 North, Range 9 East of the New Southeast Quarter (NW¼ SE¼) of Section 5, That part of the Northwest Quarter of the Colorado, described as follows:  
Beginning at the intersection of the south line of Illinois Avenue with the west line of Teller Street, the same being the northeast corner of Block No. 17 of Roberd's Third Addition to the City of Salida, Colorado; thence running South along the west line of Teller Street 150 feet to the intersection of the west line of Teller Street with the north line of the East-West alley in said block; thence at right angles and due West along said alleyway boundary 275 feet to east line of Millford Street; thence Northerly along the easterly line of Millford Street 150 feet to the intersection of the east line of Millford Street with the south line of Illinois Avenue; thence East along the south line of Illinois Avenue 275 feet to the place of beginning, Avenue 275 feet to the place of beginning, being the North half (N½) of said Block No. 17, Roberd's Third Addition.  
Approval of the limited impact review application shall constitute authorization to proceed with recording the plat and commencing with the Subdivision. Further information on the application may be obtained from the Community Development Department, (719) 530-2626.  
\*Please note that it is inappropriate to personally contact individual City Councilors or Planning Commissioners, outside of the public hearing, while an application is pending. Such contact is considered ex parte communication and will have to be disclosed as part of the public hearings on the matter. If you have any questions/comments, you should email or write a letter to staff, or present your concerns at the public meeting via the above GoToWebinar link so your comments can be made part of the record.  
Published in The Mountain Mail October 7, 2022

**Kristi Jefferson**

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**From:** Renee Thonhoff <renee.thonhoff@cityofsalida.com>  
**Sent:** Friday, October 21, 2022 12:36 PM  
**To:** Kristi Jefferson  
**Subject:** Fwd: Agency Review

System Development fees for water were paid for on both 620 Teller Street & 77 Illinois Avenue in March 2020. Previous to the fees being paid these were sewer only utility accounts. Lot 1 has the right to a 3/4" Commercial water and sewer tap and meter. Lot 2 has the right to a 3/4" residential water and sewer tap as well as a meter. Further development of these properties will require system development fees (and meter fees) to be paid for each unit built.



**Renee Thonhoff**  
*Staff Accountant, Finance Department*  
renee.thonhoff@cityofsalida.com  
P: 719-530-2622 F: 719-539-5271  
448 E First Street, Suite 112, Salida, CO 81201  
cityofsalida.com

**Easy ways to pay your utility bill: auto pay with a checking account, phone payments 833.892.0176, or pay online please register at <https://www.municipalonlinepayments.com/salidaco> or download our iOS or Android app MyCivic Utilities. where you can now set up auto pay!**

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:** Renee Thonhoff <renee.thonhoff@cityofsalida.com>  
**Date:** Fri, Oct 21, 2022 at 11:04 AM  
**Subject:** Fwd: Agency Review  
**To:** Kristi Jefferson <kristi.jefferson@cityofsalida.com>



PLANNING DEPARTMENT  
PROJECT REVIEW TRANSMITTAL FORM

ATTENTION: \_\_\_\_\_

DATE: September 27, 2022

- Salida Public Works
- Salida Fire Chief
- Salida Police Chief
- Salida Finance Department
- U.S. Postal Service
- U.S. Forest Service
- CO Dept. of Transportation
- City Consulting Engineer – Water/Sewer
- City Attorney
- Centurylink Communications

- Xcel Energy
- Charter Communications
- Chaffee Co. Planning
- Army Corps of Engineers
- Division of Wildlife
- Town of Poncha Springs
- Chaffee Co. Building Official
- Historic Preservation Commission
- School District R-32-J
- Atmos Energy

APPLICANT: Shaken Roost LLC (Joni Baker) PHONE: 740-438-1279 FAX: \_\_\_\_\_

EMAIL: jlrjdbaker@gmail.com

PROPERTY LOCATION: 77 Illinois Avenue and 620 Teller Street

PROJECT DESCRIPTION: Limited Impact Review for the Shaken Roost Minor Subdivision- to subdivide one (1) parcel into three (3) individual lots.

TENTATIVE MEETING DATES:

- Planning Commission 10/24/22 @ 6:00 P.M.
- City Council \_\_\_\_\_ P.M.
- Board of Adjustment \_\_\_\_\_ P.M.
- Board of Appeals \_\_\_\_\_ P.M.

TRANSMITTAL INCLUDES:

- Application Form/Cover Letter
- Site Plan
- Plat
- Vicinity Map
- Other: \_\_\_\_\_

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

REPLY: NO CONCERNS AT THIS TIME

RESPONSE NEEDED BY: 10/10/22

RECEIVED: \_\_\_\_\_

PLANNING STAFF: Kristi Jefferson

**From:** [David Lady](#)  
**To:** "[Kristi Jefferson](#)"; "[Doug Bess](#)"; "[Kathy Rohrich](#)"; "[Renee Thonhoff](#)"  
**Subject:** RE: Agency Review  
**Date:** Friday, September 30, 2022 11:48:51 AM  
**Attachments:** [image002.png](#)

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Currently, there are multiple utility service encroachments on Lots 1 & 3. Lot 3 does not have any public water or sewer fronting the property. Plans for addressing these concerns will need to be submitted for review.



**David Lady**  
*Director of Public Works*

[david.lady@cityofsalida.com](mailto:david.lady@cityofsalida.com)  
P: 719-539-6257 | C: 719-239-0048  
340 W. Hwy 291, Salida, CO 81201  
[cityofsalida.com](http://cityofsalida.com)

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**From:** Kristi Jefferson [<mailto:kristi.jefferson@cityofsalida.com>]  
**Sent:** Tuesday, September 27, 2022 3:44 PM  
**To:** 'Doug Bess' <[doug.bess@cityofsalida.com](mailto:doug.bess@cityofsalida.com)>; 'Kathy Rohrich' <[kathy.rohrich@cityofsalida.com](mailto:kathy.rohrich@cityofsalida.com)>; 'DavidL' <[david.lady@cityofsalida.com](mailto:david.lady@cityofsalida.com)>; 'Renee Thonhoff' <[renee.thonhoff@cityofsalida.com](mailto:renee.thonhoff@cityofsalida.com)>  
**Subject:** Agency Review

Attached is the agency review for the Shaken Roost Minor Subdivision for the parcel located at 77 Illinois Ave. Please let me know if you have any concerns with the application.

Kristi Jefferson  
Senior Planner  
City of Salida  
448 E. First Street  
Suite 112  
Salida, CO 81201  
(719) 530-2626



*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.*

**From:** [David Lady](#)  
**To:** "[Kristi Jefferson](#)"  
**Subject:** RE: Shaken Roost Agency Review-77 Illinois Ave.  
**Date:** Thursday, October 13, 2022 2:32:14 PM  
**Attachments:** [image004.png](#)  
[image006.png](#)

Illinois is proposed to have c&g. If they come in with a major impact review, I'd recommended c&g/sidewalks be installed. Otherwise fees in lieu at this time.



**David Lady**  
*Director of Public Works*

[david.lady@cityofsalida.com](mailto:david.lady@cityofsalida.com)  
 P: 719-539-6257 | C: 719-239-0048  
 340 W. Hwy 291, Salida, CO 81201  
[cityofsalida.com](http://cityofsalida.com)

**From:** Kristi Jefferson [mailto:kristi.jefferson@cityofsalida.com]  
**Sent:** Thursday, October 13, 2022 10:27 AM  
**To:** 'David Lady' <david.lady@cityofsalida.com>  
**Subject:** Shaken Roost Agency Review-77 Illinois Ave.

Thanks David,

What about the sidewalk requirement? Will sidewalks be required on all streets of this subdivision? They have frontage on Teller Street, Illinois Avenue and Milford Street. When the previous owner applied for the D&W Minor Subdivision (never recorded) this is what you required.

City design standards require local streets to have a detached sidewalk of a least five (5) feet wide. Detached sidewalks are required to be separated by a distance of at least five and one half (5 ½) feet from the curb or street pavement edge.

As a condition of approval the following plat note must be added prior to recording the subdivision plat; That curb, gutter and sidewalks be installed along the entire frontage of the property prior to issuance of building permit for new structures on any lot. Or the Public Works Director may determine that payment for fee in lieu of the curb, gutter and sidewalk will be required.

At the time of development of each lot the Public Works Director shall review and approve the engineered design drawings prior to installation of the curb, gutter and sidewalk.

Kristi Jefferson  
 Senior Planner  
 City of Salida

**From:** [Blackburn, David](#)  
**To:** [Kristi Jefferson](#)  
**Subject:** Re: Shaken Roost Minor Subdivision - 77 Illinois Ave  
**Date:** Thursday, September 29, 2022 5:44:00 PM  
**Attachments:** [image001.png](#)

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We will accept fees in lieu of land. Thank you.

Respectfully,

Dr. D. Blackburn  
Superintendent  
719.530.5203  
719-221-5915  
[salidaschools.com](http://salidaschools.com)

On Tue, Sep 27, 2022 at 3:40 PM Kristi Jefferson <[kristi.jefferson@cityofsalida.com](mailto:kristi.jefferson@cityofsalida.com)> wrote:

Attached is the agency review for the Shaken Roost Minor Subdivision application for the parcel located at 77 Illinois Ave. Please let me know if you have any concerns with the Subdivision request.

Kristi Jefferson  
Senior Planner  
City of Salida  
448 E. First Street  
Suite 112  
Salida, CO 81201  
(719) 530-2626



*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.*

**From:** [Higgins, Dan](#)  
**To:** [Kristi Jefferson](#); [Cristelli, Mark](#)  
**Subject:** RE: [EXT] Shaken Roost Minor Subdivision - Agency review  
**Date:** Thursday, September 29, 2022 1:17:18 PM  
**Attachments:** [image001.png](#)

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Good afternoon Kristi,  
Atmos Energy objects to this subdivision until the gas service line and fuel run serving the existing residence on lot 2 are accounted for appropriately.  
Please advise the developer to contact Atmos Energy to make said arrangements at 888-286-6700.  
Thanks,  
Dan

---

**From:** Kristi Jefferson <kristi.jefferson@cityofsalida.com>  
**Sent:** Tuesday, September 27, 2022 3:38 PM  
**To:** Cristelli, Mark <Mark.Cristelli@atmosenergy.com>; Higgins, Dan <Daniel.Higgins@atmosenergy.com>  
**Subject:** [EXT] Shaken Roost Minor Subdivision - Agency review

**CAUTION: Don't be quick to click. This e-mail originated from outside of Atmos Energy. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Mark and Dan,

Attached is an agency review for the proposed Shaken Roost Minor Subdivision for the parcel located at 77 Illinois Street. Please let me know if you have any concerns with the proposed subdivision.

Kristi Jefferson  
Senior Planner  
City of Salida  
448 E. First Street  
Suite 112  
Salida, CO 81201  
(719) 530-2626



*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.*



**From:** [Waugh, Sterling S](#)  
**To:** [Kristi Jefferson](#); [Moffett, Christopher B](#); ["Blackburn, David"](#)  
**Subject:** RE: Shaken Roost Minor Subdivision - 77 Illinois Ave  
**Date:** Wednesday, October 12, 2022 4:37:54 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)

Hello Kristi,

Xcel requests 10' front lot easements or 10' easements on property lines adjacent to a road, not alley. Below in blue

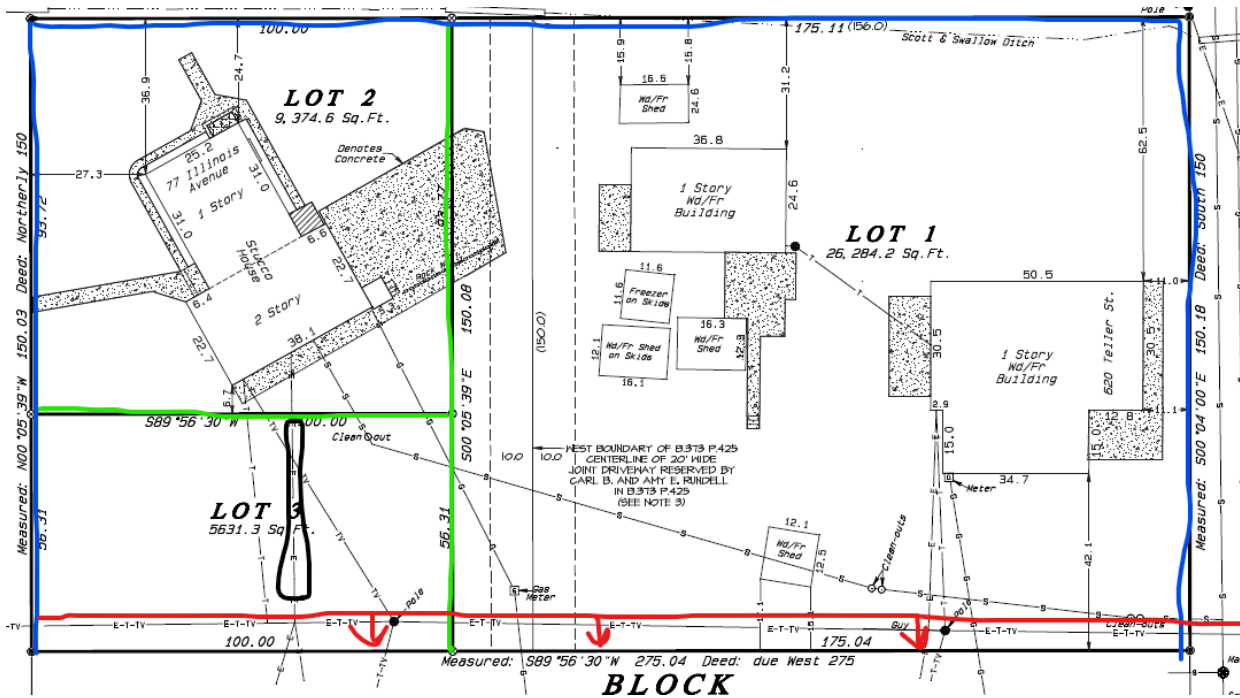
5' side lot easements, 5' rear lot easements, excluding the alley property line. Below in green.

Property line near alley have an easement that has the existing power line in it and south so we have the legal right to serve any new loads to the south. Below in red.

Relocate existing services into utilities to easements. Below in black.

Let me know if you have any questions

Thanks,  
 Sterling



**Sterling S Waugh C:719-717-0041 Mon-Thurs 7-5:30**

**BLUE BOOK LINK BELOW**

<https://www.xcelenergy.com/staticfiles/xcel-responsive/Admin/Managed Documents & PDFs/Xcel-Energy-Standard-For-Electric-Installation-and-Use.pdf>

**APPLICATION REQUEST**

[Building and Remodeling](#) | [Partner Resources](#) | [Xcel Energy](#)

**From:** Kristi Jefferson <kristi.jefferson@cityofsalida.com>

**Sent:** Tuesday, September 27, 2022 3:41 PM

**To:** Waugh, Sterling S <Sterling.S.Waugh@xcelenergy.com>; Moffett, Christopher B <Christopher.B.Moffett@xcelenergy.com>; 'Blackburn, David' <dblackburn@salidaschools.org>

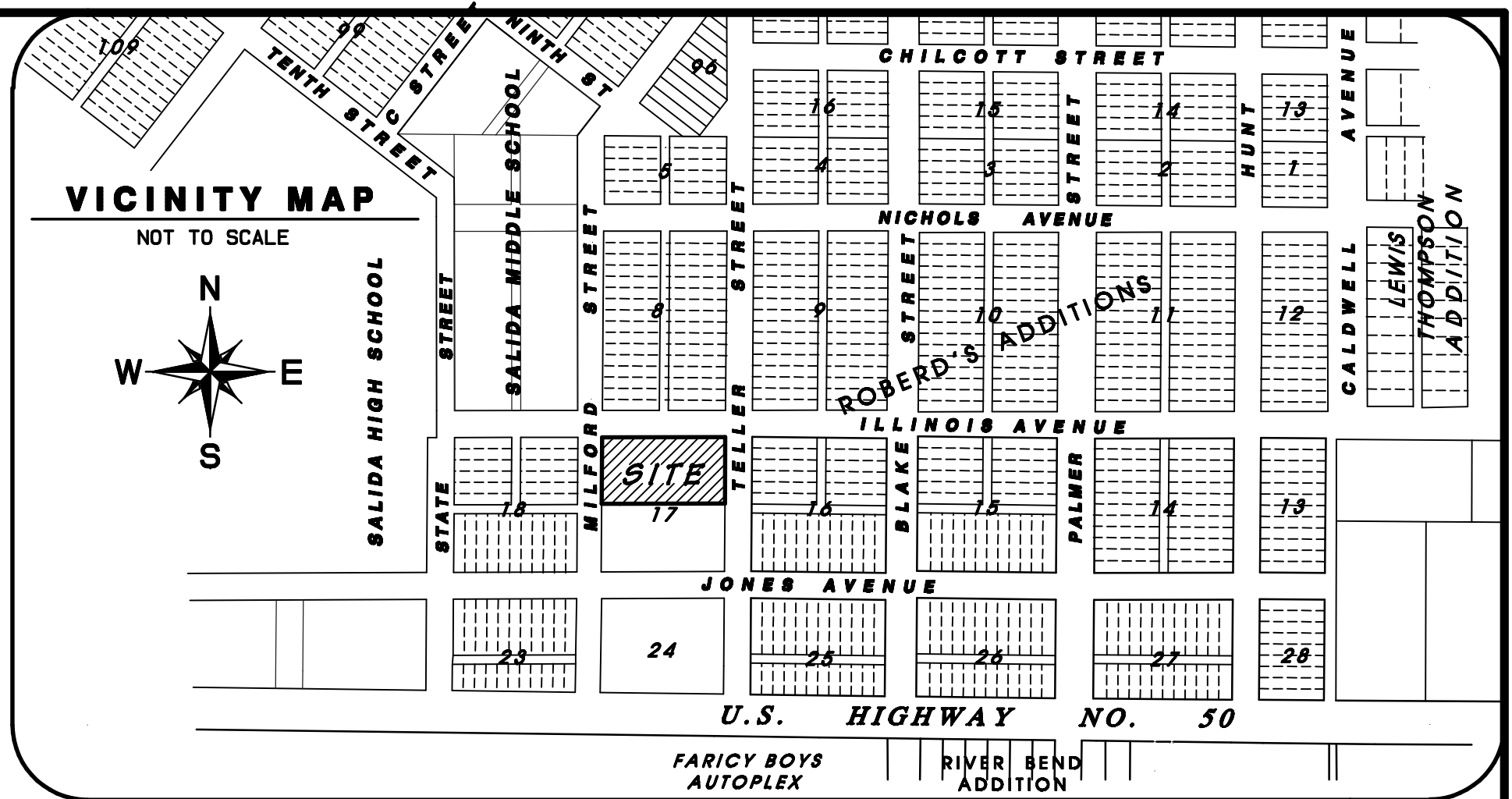
**Subject:** Shaken Roost Minor Subdivision - 77 Illinois Ave

**EXTERNAL - STOP & THINK** before opening links and attachments.

Attached is the agency review for the Shaken Roost Minor Subdivision application for the parcel located at 77 Illinois Ave.

# SHAKEN ROOST MINOR SUBDIVISION

LOCATED IN  
BLOCK 17, ROBERD'S THIRD ADDITION TO THE CITY OF SALIDA  
CHAFFEE COUNTY, COLORADO



**CERTIFICATE OF DEDICATION AND OWNERSHIP:**  
 KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED, BEING ALL OF THE OWNERS, MORTGAGEES AND LIEN HOLDERS OF CERTAIN LAND IN THE CITY OF SALIDA, CHAFFEE COUNTY, COLORADO, DESCRIBED AS FOLLOWS:  
 That part of the Northeast Quarter of the Southeast Quarter (NW1/4 SE1/4) of Section 5, Township 44 North, Range 4 East of the New Mexico Principal Meridian, (City of Salida), Chaffee County, Colorado, described as follows:  
 Beginning at the intersection of the south line of Illinois Avenue with the west line of Teller Street, the same being the northeast corner of Block No. 17 of Robert's Third Addition to the City of Salida, Colorado; thence running South along the west line of Teller Street 150 feet to the intersection of the west line of Teller Street with the north line of the East-West alley in said Block; thence at right angles and due West along said alleyway boundary 275 feet to the east line of Milford Street; thence Northernly along the easterly line of Milford Street 150 feet to the intersection of the east line of Milford Street with the south line of Illinois Avenue; thence East along the south line of Illinois Avenue 275 feet to the place of beginning, being the North half (N1/2) of said Block No. 17, Robert's Third Addition.  
 DO HEREBY LAY-OUT, PLAT AND SUBDIVIDE THE ABOVE DESCRIBED PROPERTY INTO THREE (3) LOTS, WITH DISTANCES AND DIRECTIONS, AS SHOWN ON THIS PLAT, TO BE KNOWN AS:  
**LOTS 1, 2 and 3, SHAKEN ROOST MINOR SUBDIVISION**  
 LOCATED WITHIN

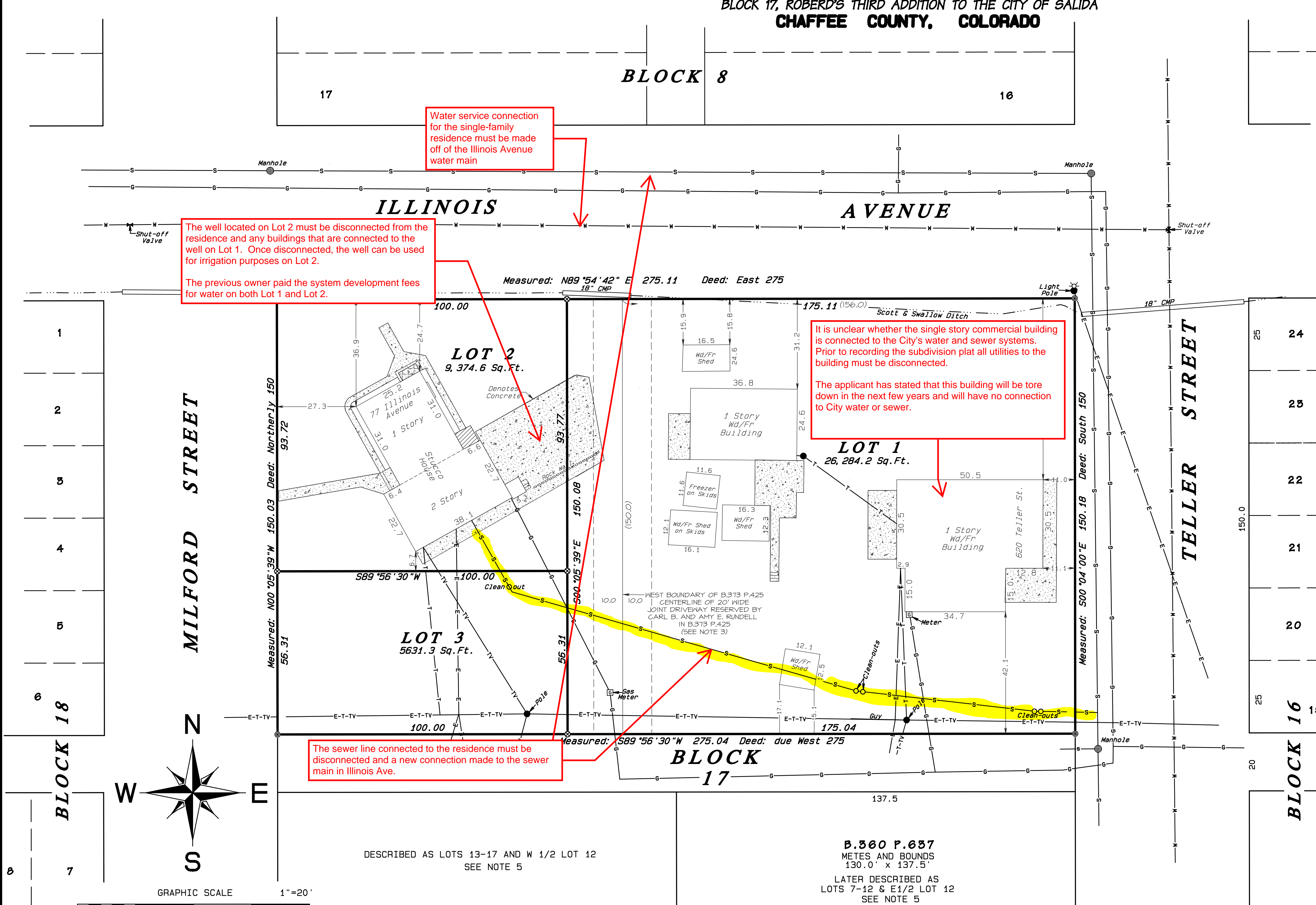
AND THE LOTS SHALL BE SUBJECT TO EASEMENTS FOR SEWER, WATER, GAS, ELECTRIC, TELEPHONE AND TELEVISION LINES WHICH CROSS ONE LOT TO PROVIDE SERVICE TO ANOTHER LOT OR ANOTHER PROPERTY, WHICH EASEMENTS SHALL BE OF SUFFICIENT WIDTHS TO OPERATE, MAINTAIN, INSPECT AND REPAIR SUCH LINES. THE APPROXIMATE LOCATIONS OF SAID UTILITY LINES ARE SHOWN HEREON, HOWEVER THE ACTUAL LOCATIONS OF SAID LINES SHALL CONTROL THE LOCATIONS OF THE EASEMENTS.  
 AND LOT 1 MAY BE SUBJECT TO THE RIGHTS OF THE OWNERS OF THE SCOTT & SWALLOW DITCH TO OPERATE, MAINTAIN, INSPECT AND REPAIR SAID DITCH PURSUANT TO COLORADO LAW RELATIVE TO DITCH RIGHTS.

IN WITNESS WHEREOF, THE UNDERSIGNED HAVE CAUSED THESE PRESENTS TO BE EXECUTED ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022.  
 SHAKEN ROOST LLC, A COLORADO LIMITED LIABILITY COMPANY (OWNER)  
 JONI L. BAKER, PRESIDENT  
 STATE OF COLORADO }  
 COUNTY OF CHAFFEE } ss  
 THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022.  
 WITNESS MY HAND AND OFFICIAL SEAL  
 MY COMMISSION EXPIRES \_\_\_\_\_  
 NOTARY PUBLIC  
 ADDRESS \_\_\_\_\_

**CERTIFICATE OF TITLE INSURANCE COMPANY:**  
 I, JAMES L. TREAT, A LICENSED TITLE INSURANCE AGENT REPRESENTING STEHART TITLE GUARANTY COMPANY IN THE STATE OF COLORADO DO CERTIFY THAT I HAVE EXAMINED THE TITLE TO THE REAL PROPERTY SHOWN AND DESCRIBED ON THIS PLAT AND FOUND TITLE VESTED IN SHAKEN ROOST LLC, A COLORADO LIMITED LIABILITY COMPANY FREE AND CLEAR OF ALL LIENS AND ENCUMBRANCES, EXCEPT:

**LAND SURVEYOR'S STATEMENT:**  
 I, MICHAEL K. HENDERSON, A REGISTERED LAND SURVEYOR LICENSED TO PRACTICE IN THE STATE OF COLORADO DO HEREBY STATE THAT THIS PLAT WAS PREPARED BY ME AND/OR UNDER MY DIRECT SUPERVISION, AND IS BASED ON A MONUMENTED LAND SURVEY OF THE PROPERTY AND LOTS SHOWN AND DESCRIBED HEREIN, WHICH SURVEY WAS PERFORMED UNDER MY RESPONSIBLE CHARGE, AND THAT SAID PLAT AND SURVEY ARE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.  
 DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022.  
 MICHAEL K. HENDERSON  
 REG. L.S. NO. 16117  
 STATE OF COLORADO

**GENERAL LAND SURVEYOR'S NOTES:**  
 1) PROPERTY DESCRIPTION AND RECORD EASEMENT RESEARCH BASED ON STEHART TITLE GUARANTY COMPANY COMMITMENT NO. 20211, ISSUED BY CHAFFEE TITLE & ESCROW, INC. EFFECTIVE APRIL 15, 2022.  
 2) DEED LINES ARE BASED ON AFOREMENTIONED PROPERTY DESCRIPTION, ON THE PLAT OR ROBERD'S THIRD ADDITION TO THE CITY OF SALIDA (RECEPTION NO. 34736) AND ON THE LOCATIONS OF THE RECOVERED REBAR SURVEY MONUMENTS SHOWN AND DESCRIBED ON THIS PLAT.  
 3) A JOINT DRIVEWAY EASEMENT WAS RESERVED IN A CONVEYANCE OF A PORTION OF THE SUBJECT PROPERTY IN WARRANTY DEED RECORDED ON MAY 1, 1971 IN BOOK 373 AT PAGE 425. THERE IS NO EVIDENCE OF JOINT USE OF A DRIVEWAY AS THE SUBJECT PROPERTY NOW INCLUDES BOTH PROPERTIES PREVIOUSLY SUBJECT TO AND BENEFITTING FROM THE EASEMENT.  
 4) BLOCK 17 OF ROBERD'S THIRD ADDITION WAS NOT PLATTED INTO LOTS AND THERE IS NO ALLEY PLATTED IN SAID BLOCK FOR THE AFOREMENTIONED PLAT OF ROBERD'S THIRD ADDITION, HOWEVER THERE ARE REFERENCES TO LOTS AND AN ALLEY IN SOME DEED DESCRIPTIONS FOR PROPERTIES LOCATED IN BLOCK 17.



Water service connection for the single-family residence must be made off of the Illinois Avenue water main

The well located on Lot 2 must be disconnected from the residence and any buildings that are connected to the well on Lot 1. Once disconnected, the well can be used for irrigation purposes on Lot 2.

The previous owner paid the system development fees for water on both Lot 1 and Lot 2.

It is unclear whether the single story commercial building is connected to the City's water and sewer systems. Prior to recording the subdivision plat all utilities to the building must be disconnected.

The applicant has stated that this building will be tore down in the next few years and will have no connection to City water or sewer.

The sewer line connected to the residence must be disconnected and a new connection made to the sewer main in Illinois Ave.

DESCRIBED AS LOTS 13-17 AND W 1/2 LOT 12  
 SEE NOTE 5

**B.360 P.637**  
 METES AND BOUNDS  
 130.0' x 137.5'  
 LATER DESCRIBED AS  
 LOTS 7-12 & E1/2 LOT 12  
 SEE NOTE 5

**CITY OF SALIDA PLANNING COMMISSION APPROVAL:**  
 THIS PLAT IS APPROVED BY THE CITY OF SALIDA PLANNING COMMISSION ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022.

**CITY ADMINISTRATOR APPROVAL:**  
 THIS PLAT IS APPROVED BY THE SALIDA CITY ADMINISTRATOR ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022.

**CLERK AND RECORDER'S CERTIFICATE:**  
 THIS PLAT WAS FILED IN THE OFFICE OF THE CLERK AND RECORDER OF CHAFFEE COUNTY, COLORADO, AT \_\_\_\_\_ M., ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2022.  
 RECEPTION NO. \_\_\_\_\_

<b>SHAKEN ROOST MINOR SUBDIVISION</b> IN THE N1/2 BLOCK 17, ROBERD'S THIRD ADDITION TO THE CITY OF SALIDA, CHAFFEE COUNTY, COLORADO	
Job Number: J-22-157 TPC FILE: J-11-005 DRAWN BY: M.K.H. TMOO CAD	<b>HENDERSON LAND SURVEYING CO., INC.</b> P.O. BOX 812 SALIDA, COLORADO
CHECKED: FILE BOOK: 5277, Pgs. 20-24, 5335 P.32	DATE: 9/8/22 DRAWING NO. L-22-60

GRAPHIC SCALE 1"=20'  
 DIRECTIONS ARE BASED ON THE BEARING S00°04'00"E BETWEEN RECOVERED REBAR SURVEY MONUMENTS AT THE NORTHEAST AND THE SOUTHEAST CORNERS OF THE PROPERTY, AS SHOWN AND DESCRIBED ON THIS PLAT.  
**LEGEND:**  
 ○ DENOTES A RECOVERED 5/8" REBAR WITH A 1 3/4" STEEL DISC STAMPED "6753"  
 ⊗ DENOTES A 5/8" x 24" REBAR WITH A 1 1/2" ALUMINUM CAP STAMPED "LS 16117". SET FOR THIS SURVEY.  
 —S— DENOTES APPROXIMATE LOCATION OF A SANITARY SEWER LINE.  
 —W— DENOTES A CITY OF SALIDA WATER MAIN.  
 —G— DENOTES APPROXIMATE LOCATION OF A GAS LINE.  
 —E— DENOTES AN OVERHEAD ELECTRIC LINE.  
 —T— DENOTES AN OVERHEAD TELEPHONE LINE.  
 —TV— DENOTES AN OVERHEAD TELEVISION LINE.  
**ZONING:**  
 BLOCK 17 IS ZONED COMMERCIAL (C1)

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 BE COMPLETED MORE THAN TEN YEARS FROM THE DATE OF THE SURVEYOR'S STATEMENT CONTAINED HEREON.

PRELIMINARY FOR CLIENT REVIEW

CHAFFEE COUNTY CLERK & RECORDER



# 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)

- Annexation
- Pre-Annexation Agreement
- Appeal Application (Interpretation)
- Certificate of Approval
- Creative Sign Permit
- Historic Landmark/District
- License to Encroach
- Text Amendment to Land Use Code
- Watershed Protection Permit
- Conditional Use
- Administrative Review:  
(Type) \_\_\_\_\_
- Limited Impact Review:  
(Type) Minor Subdivision
- Major Impact Review:  
(Type) \_\_\_\_\_
- Other: \_\_\_\_\_

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

### A. Applicant Information

Name of Applicant: Shaken Roast LLC

Mailing Address: 1501 H. St. Salida. CO 81201

Telephone Number: 740 438 1279 FAX: \_\_\_\_\_

Email Address: jjlrjdBaker@gmail.com

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

### B. Site Data

Name of Development: Shaken Roast Minor Subdivision

Street Address: 77 Illinois

Legal Description: Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_ (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 9-21-2022

Signature of property owner [Signature] Date 9-21-2022



# 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
3. Staff Review. Staff report or decision forwarded to the applicant (Administrative review)
4. Public Notice
5. Public Hearing with Planning Commission (Limited Impact and Major Impact Review Applications)
6. Public Notice
7. Hearing Conducted by City Council (Major Impact Review)

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

1. A General Development Application
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; *Sent via email*
3. A brief written description of the proposed development signed by the applicant;
4. Special Fee and Cost Reimbursement Agreement completed. *\*major impact only*
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 proof of posting the public notice.

6. 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).

7. Any request for zoning action, including review criteria for a requested conditional use (Sec. 16-4-190 ) or zoning variance (Sec. 16-4-180);

- 8. Any subdivision request including a plat meeting the requirements of Section 16-6-110; *Sent via email*
- 9. 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 drainageways 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;

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

11. 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.

Minor subdivision, no change to current use

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.

All new lots meet dimensional standards article 5 for C-1 zoning.

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

no changes.

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.

no change to current use



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.

No changes to current use

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.

No changes to current use

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.

No changes to current use

**From:** [Joni Baker](#)  
**To:** [Kristi Jefferson](#)  
**Subject:** Re: Questions on Shaken Roost plat  
**Date:** Monday, October 17, 2022 11:18:01 AM  
**Attachments:** [image002.png](#)

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Responses below

Sent from my iPhone

On Oct 13, 2022, at 11:16 AM, Kristi Jefferson <kristi.jefferson@cityofsalida.com> wrote:

Joni,

I am working on the staff report for the Shaken Roost Minor Subdivision and have several questions.

I know there is a well (water) that the existing residence is connected to but the well is not shown on the plat. Where is the well and will the use of it be continued for irrigation of Lot 1 or Lot 2? **The well is on lot 2 in the little square drawn next to the house by the concrete pad. It will be used for irrigation on lot 2**

The prior owner had the commercial building on Teller Street connected to the well and cross connected to sewer the connection is not shown on the plat. Is that building still connected to the well or to City water? Will you be removing all of the buildings on Lot 1 or leaving them? **I have no idea if it's connected to the well, but that connection would be removed and building will be torn down in 1-3 years**

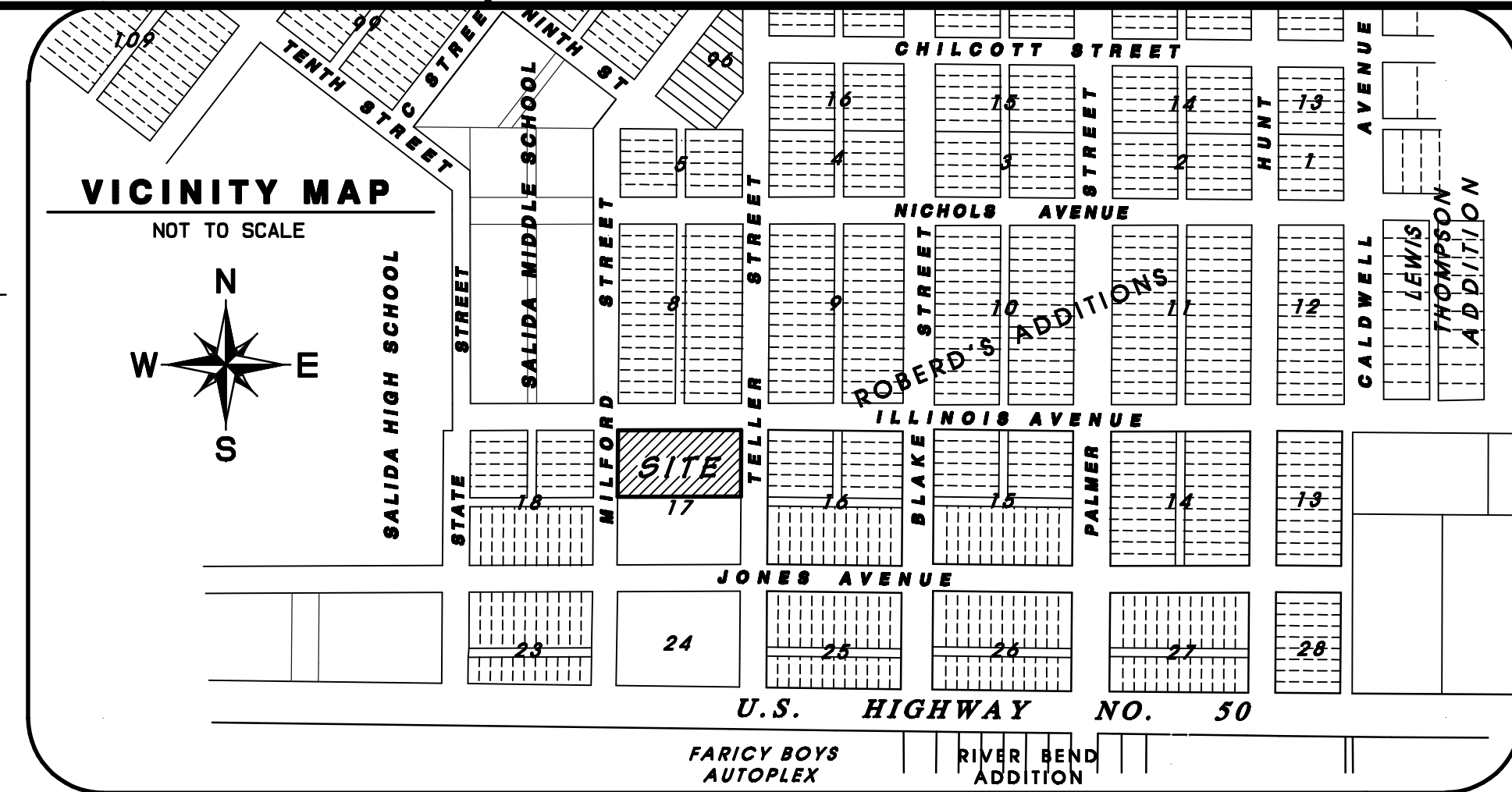
Also, the plat shows a blanket easement but all Utility companies are going to require utility easements on each lot especially for Lot 3. Have you had a chance to contact Atmos Energy regarding their concerns?

**I have reached out by phone and email to atoms and the city**

Kristi Jefferson  
Senior Planner  
City of Salida  
448 E. First Street  
Suite 112  
Salida, CO 81201  
(719) 530-2626

# SHAKEN ROOST MINOR SUBDIVISION

LOCATED IN  
BLOCK 17, ROBERD'S THIRD ADDITION TO THE CITY OF SALIDA  
CHAFFEE COUNTY, COLORADO



**CERTIFICATE OF DEDICATION AND OWNERSHIP:**  
 KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED, BEING ALL OF THE OWNERS, MORTGAGEES AND LIEN HOLDERS OF CERTAIN LAND IN THE CITY OF SALIDA, CHAFFEE COUNTY, COLORADO, DESCRIBED AS FOLLOWS:  
 That part of the Northeast Quarter of the Southeast Quarter (NW1/4 SE1/4) of Section 5, Township 44 North, Range 4 East of the New Mexico Principal Meridian, (City of Salida), Chaffee County, Colorado, described as follows:  
 Beginning at the intersection of the south line of Illinois Avenue with the west line of Teller Street, the same being the northeast corner of Block No. 17 of Robert's Third Addition to the City of Salida, Colorado; thence running South along the west line of Teller Street 150 feet to the intersection of the west line of Teller Street with the north line of the East-West alley in said Block; thence at right angles and due West along said alleyway boundary 275 feet to the east line of Milford Street; thence North along the easterly line of Milford Street 150 feet to the intersection of the east line of Milford Street with the south line of Illinois Avenue; thence East along the south line of Illinois Avenue 275 feet to the place of beginning, being the North half (N/2) of said Block No. 17, Robert's Third Addition.  
 DO HEREBY LAY-OUT, PLAT AND SUBDIVIDE THE ABOVE DESCRIBED PROPERTY INTO THREE (3) LOTS, WITH DISTANCES AND DIRECTIONS, AS SHOWN ON THIS PLAT, TO BE KNOWN AS:

**LOTS 1, 2 and 3, SHAKEN ROOST MINOR SUBDIVISION**  
 LOCATED WITHIN  
 BLOCK 17, ROBERD'S THIRD ADDITION TO THE CITY OF SALIDA  
 CHAFFEE COUNTY, COLORADO

AND THE LOTS SHALL BE SUBJECT TO EASEMENTS FOR SEWER, WATER, GAS, ELECTRIC, TELEPHONE AND TELEVISION LINES WHICH CROSS ONE LOT TO PROVIDE SERVICE TO ANOTHER LOT OR ANOTHER PROPERTY, WHICH EASEMENTS SHALL BE OF SUFFICIENT WIDTHS TO OPERATE, MAINTAIN, INSPECT AND REPAIR SUCH LINES. THE APPROXIMATE LOCATIONS OF SAID UTILITY LINES ARE SHOWN HEREON, HOWEVER THE ACTUAL LOCATIONS OF SAID LINES SHALL CONTROL THE LOCATIONS OF THE EASEMENTS.  
 AND LOT 1 MAY BE SUBJECT TO THE RIGHTS OF THE OWNERS OF THE SCOTT & SWALLOW DITCH TO OPERATE, MAINTAIN, INSPECT AND REPAIR SAID DITCH PURSUANT TO COLORADO LAW RELATIVE TO DITCH RIGHTS.

**ACKNOWLEDGEMENT:**  
 IN WITNESS WHEREOF, THE UNDERSIGNED HAVE CAUSED THESE PRESENTS TO BE EXECUTED ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.  
 SHAKEN ROOST LLC, A COLORADO LIMITED LIABILITY COMPANY (OWNER)

JONI L. BAKER, PRESIDENT  
 STATE OF COLORADO }  
 COUNTY OF CHAFFEE } SS  
 THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.  
 WITNESS MY HAND AND OFFICIAL SEAL  
 MY COMMISSION EXPIRES \_\_\_\_\_

NOTARY PUBLIC  
 ADDRESS \_\_\_\_\_

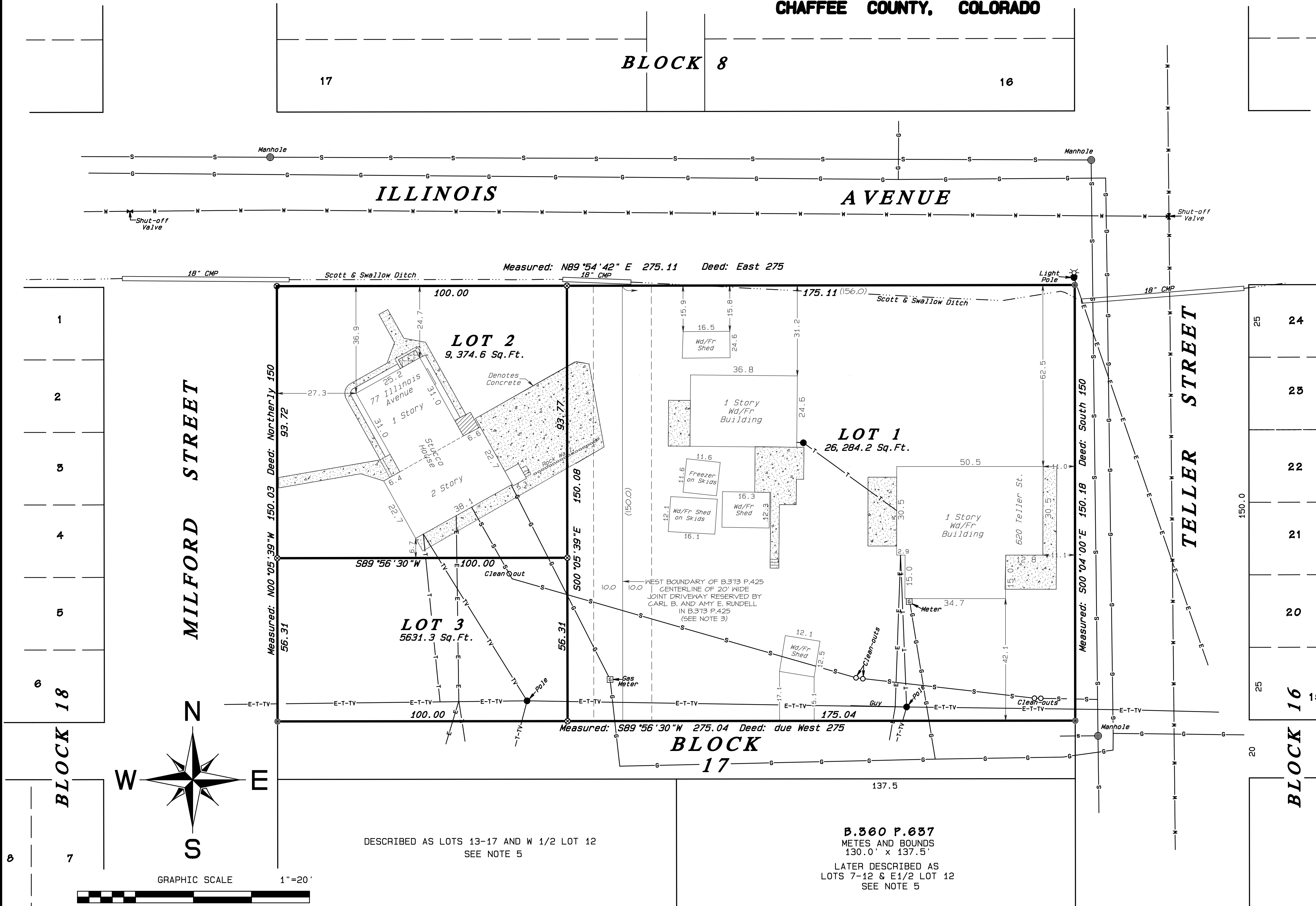
**CERTIFICATE OF TITLE INSURANCE COMPANY:**  
 I, JAMES L. TREAT, A LICENSED TITLE INSURANCE AGENT REPRESENTING STEHART TITLE GUARANTY COMPANY IN THE STATE OF COLORADO DO CERTIFY THAT I HAVE EXAMINED THE TITLE TO THE REAL PROPERTY SHOWN AND DESCRIBED ON THIS PLAT AND FOUND TITLE VESTED IN SHAKEN ROOST LLC, A COLORADO LIMITED LIABILITY COMPANY FREE AND CLEAR OF ALL LIENS AND ENCUMBRANCES, EXCEPT:

JAMES L. TREAT

**LAND SURVEYOR'S STATEMENT:**  
 I, MICHAEL K. HENDERSON, A REGISTERED LAND SURVEYOR LICENSED TO PRACTICE IN THE STATE OF COLORADO DO HEREBY STATE THAT THIS PLAT WAS PREPARED BY ME AND/OR UNDER MY DIRECT SUPERVISION, AND IS BASED ON A MONUMENTED LAND SURVEY OF THE PROPERTY AND LOTS SHOWN AND DESCRIBED HEREIN, WHICH SURVEY WAS PERFORMED UNDER MY RESPONSIBLE CHARGE, AND THAT SAID PLAT AND SURVEY ARE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.  
 DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

MICHAEL K. HENDERSON  
 REG. L.S. NO. 16117  
 STATE OF COLORADO

**GENERAL LAND SURVEYOR'S NOTES:**  
 1) PROPERTY DESCRIPTION AND RECORD EASEMENT RESEARCH BASED ON STEHART TITLE GUARANTY COMPANY COMMITMENT NO. 20211, ISSUED BY CHAFFEE TITLE & ESCROW, INC. EFFECTIVE APRIL 15, 2022.  
 2) DEED LINES ARE BASED ON AFOREMENTIONED PROPERTY DESCRIPTION, ON THE PLAT OR ROBERD'S THIRD ADDITION TO THE CITY OF SALIDA (RECEPTION NO. 34736) AND ON THE LOCATIONS OF THE RECOVERED REBAR SURVEY MONUMENTS SHOWN AND DESCRIBED ON THIS PLAT.  
 3) A JOINT DRIVEWAY EASEMENT WAS RESERVED IN A CONVEYANCE OF A PORTION OF THE SUBJECT PROPERTY IN WARRANTY DEED RECORDED ON MAY 1, 1971 IN BOOK 373 AT PAGE 425. THERE IS NO EVIDENCE OF JOINT USE OF A DRIVEWAY AS THE SUBJECT PROPERTY NOW INCLUDES BOTH PROPERTIES PREVIOUSLY SUBJECT TO AND BENEFITING FROM THE EASEMENT.  
 4) BLOCK 17 OF ROBERD'S THIRD ADDITION WAS NOT PLATTED INTO LOTS AND THERE IS NO ALLEY PLATTED IN SAID BLOCK PER THE AFOREMENTIONED PLAT OF ROBERD'S THIRD ADDITION, HOWEVER THERE ARE REFERENCES TO LOTS AND AN ALLEY IN SOME DEED DESCRIPTIONS FOR PROPERTIES LOCATED IN BLOCK 17.



**LEGEND:**  
 ○ DENOTES A RECOVERED 5/8" REBAR WITH A 1 3/4" STEEL DISC STAMPED "6753".  
 ○ DENOTES A 5/8" x 24" REBAR WITH A 1 1/2" ALUMINUM CAP STAMPED "LS 16117". SET FOR THIS SURVEY.  
 —S— DENOTES APPROXIMATE LOCATION OF A SANITARY SEWER LINE.  
 —W— DENOTES A CITY OF SALIDA WATER MAIN.  
 —G— DENOTES APPROXIMATE LOCATION OF A GAS LINE.  
 —E— DENOTES AN OVERHEAD ELECTRIC LINE.  
 —T— DENOTES AN OVERHEAD TELEPHONE LINE.  
 —TV— DENOTES AN OVERHEAD TELEVISION LINE.

**ZONING:**  
 BLOCK 17 IS ZONED COMMERCIAL (C1)

**CITY OF SALIDA PLANNING COMMISSION APPROVAL:**  
 THIS PLAT IS APPROVED BY THE CITY OF SALIDA PLANNING COMMISSION ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

CHAIRMAN \_\_\_\_\_

**CITY ADMINISTRATOR APPROVAL:**  
 THIS PLAT IS APPROVED BY THE SALIDA CITY ADMINISTRATOR ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

CITY ADMINISTRATOR, CITY OF SALIDA \_\_\_\_\_

**CLERK AND RECORDER'S CERTIFICATE:**  
 THIS PLAT WAS FILED IN THE OFFICE OF THE CLERK AND RECORDER OF CHAFFEE COUNTY, COLORADO, AT \_\_\_\_\_ M., ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2022.  
 RECEPTION NO. \_\_\_\_\_

<b>SHAKEN ROOST MINOR SUBDIVISION</b> IN THE N/2 BLOCK 17, ROBERD'S THIRD ADDITION TO THE CITY OF SALIDA, CHAFFEE COUNTY, COLORADO	
Job Number: J-22-157 TPC FILE: J-11-005 DRAWN BY: M.K.H. TMOD CAD	<b>HENDERSON LAND SURVEYING CO., INC.</b> P.O. BOX 812 SALIDA, COLORADO
CHECKED: FILE BOOK: 5277, PGS. 20-24, 5335 P.32	DATE: 9/8/22 DRAWING NO. L-22-60

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.

PRELIMINARY FOR CLIENT REVIEW

CHAFFEE COUNTY CLERK & RECORDER



### PLANNING COMMISSION STAFF REPORT

**MEETING DATE:** October 24, 2022

**AGENDA ITEM TITLE:** River Ridge (Lots 15-21) and Dutch Run (Lots 1&2) Rezone – Major Impact Review

**AGENDA SECTION:** Public Hearing

**REQUEST SUMMARY:**

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

**APPLICANTS:**

The applicants are listed below:

- Ben Griffin (Lots 15-17 River Ridge Subdivision)
- Robert and Kyle Weiss (Lots 18-19 River Ridge Subdivision)
- Sage Kitson (Lot 20 River Ridge Subdivision)
- Robert and Charlotte Karls (Lot 21 River Ridge Subdivision, Lots 1 & 2 Dutch Run Subdivision)

**LOCATION:** River Ridge Lane and Old Stage Road.



**PROCESS:**

An application for rezoning consists of a two-step process. The request is addressed by the Planning 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.

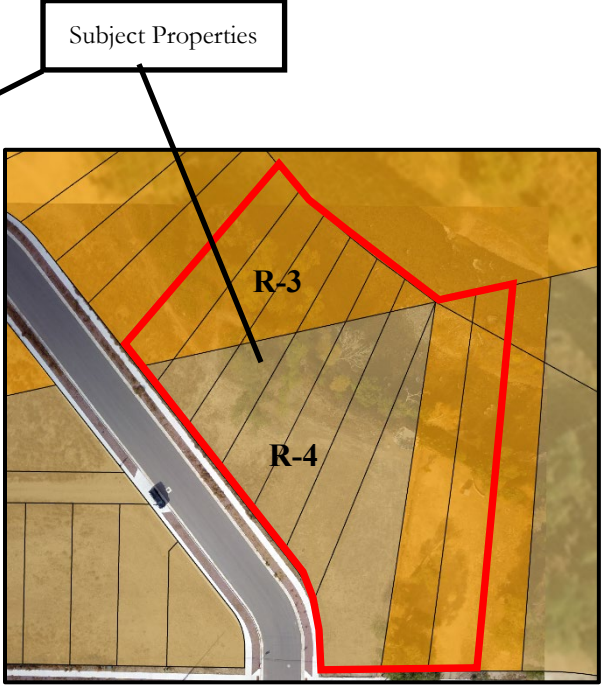
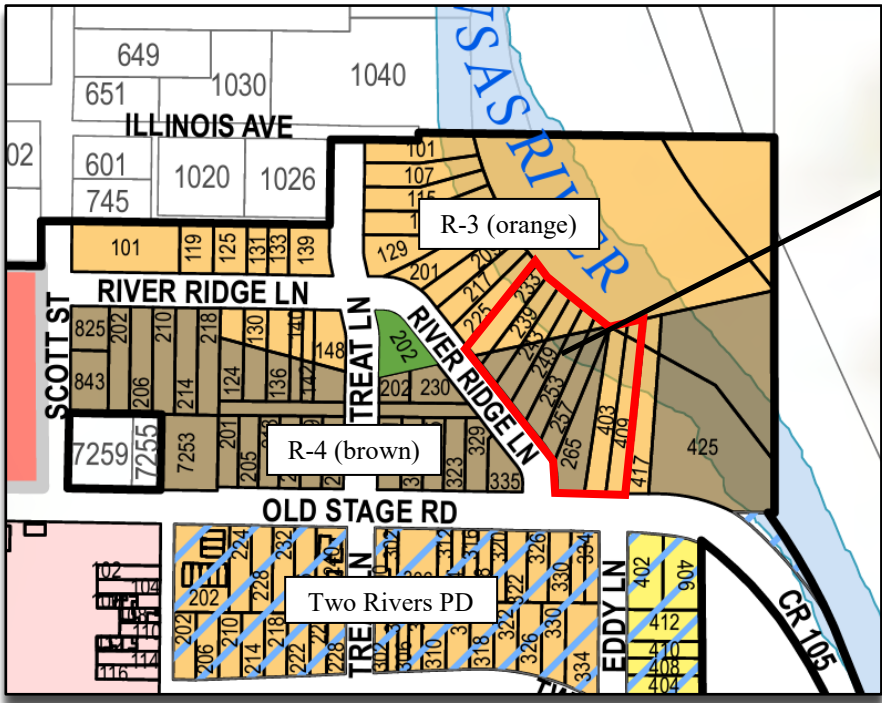
In its review of the application, the Commission shall focus on the long term use of the property within the context of the City’s Comprehensive Plan and current zoning for the property, as well as the surrounding area. Once the property is zoned, all of the uses permitted within the new zoning district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

**PHOTOS OF SUBJECT AREA:**



**BACKGROUND:**

In 2019, Council approved Annexation and Rezoning (to R-3, High-Density Residential) for the northern portion/original lot of what is now the River Ridge Subdivision. The southern portion/original lot of that development was previously a mobile home park and was already in the City and zoned R-4, Manufactured Housing (all of the mobile homes were removed prior to the creation of the subdivision). Earlier, in 2018, three properties immediately to the east of the River Ridge Subdivision (now part of the Dutch Run Subdivision) were annexed into the City and zoned R-3, High-Density Residential. The result of these zoning and subdivision processes is a patchwork of R-3 and R-4 lots north of Old Stage Rd, some of which within River Ridge are actually split-zoned (part R-3 and part R-4), as shown below:



**OBSERVATIONS AND DISCUSSION:**

Lots within both the River Ridge and Dutch Run Subdivision have been sold to a variety of property owners since they were platted. Many of the new owners were under the assumption that they could build detached stick-built single-family homes on one or more of the vacant lots. Both the original application and the City staff report for the River Ridge Subdivision specifically mentioned that uses within the subdivision would include “a diversity of housing styles from duplexes, single-residences and possibly triplexes.” However, detached single-family homes are not expressly permitted in the R-3 district, nor are stick-built homes (of any type) expressly permitted in the R-4 district. Table 16-D of the Land Use Code lists single-family homes as Administrative Review (AR) under both R-3 and R-4. While there is reference in that table to an *existing* single-family dwelling being able to “be modified or rebuilt as a matter of right provided it is in conformance with the dimensional standards,” there are no other specific standards for such a review. This leads staff back to the purpose and intent language of the R-3 and R-4 districts, which are quoted verbatim from code below:

*“High-Density Residential (R-3). The purpose of the High-Density Residential (R-3) zone district is to provide for **relatively high density duplex and multi-family residential areas, including primarily triplex, townhouse and apartment uses.** Complementary land uses may also include such supporting land uses as parks, schools, churches, home occupations or day care, amongst other uses.” (emphasis added)*

*“Manufactured Housing Residential (R-4). The purpose of the Manufactured Housing Residential (R-4) zone district is to provide for **relatively high density manufactured housing, mobile home residences and mobile home parks.** Complementary land uses may also include such supporting land uses as parks, schools, churches, home occupations or day care, amongst other uses.” (emphasis added)*

It must be noted that single-family homes have been approved for construction in both the R-3 and R-4 zone districts in the past. Taking the clear and explicit language of the purpose statements above into account, however, makes future administrative approvals of detached single-family homes in the R-3 (especially on larger lots or across multiple lots), and stick-built homes of any type in the R-4, questionable at best. Furthermore, in this day of high costs for land, housing, and infrastructure (as well as rapidly shrinking land availability), R-3 and R-4 zoning are powerful tools for creating additional needed density and for protecting and/or creating space for “naturally occurring affordable housing” such as manufactured or mobile homes, respectively. Inefficient use of R-3 land, such as detached single-family homes on larger (or multiple) lots, and the ability to develop/redevelop R-4 zoned lots with stick-built housing, may not be the most wise and prudent community planning. That said, certain locations may also not be the most appropriate areas for R-3 or R-4 zoning.

The owners of Lots 15-21 of the River Ridge Subdivision, plus Lots 1 & 2 of the Dutch Run Subdivision have requested rezoning of those lots to Medium-Density Residential (R-2) in order to allow for the construction of detached (stick-built) single-family housing on one or more lots. The applicants state in their application that some of them are interested in building a single-family residence over two lots in the near future. In contrast to both R-3 and R-4, detached single-family dwellings are explicitly called out as an intended use in the purpose language for the R-2 zone district and are permitted as a use-by-right in Table 16-D.

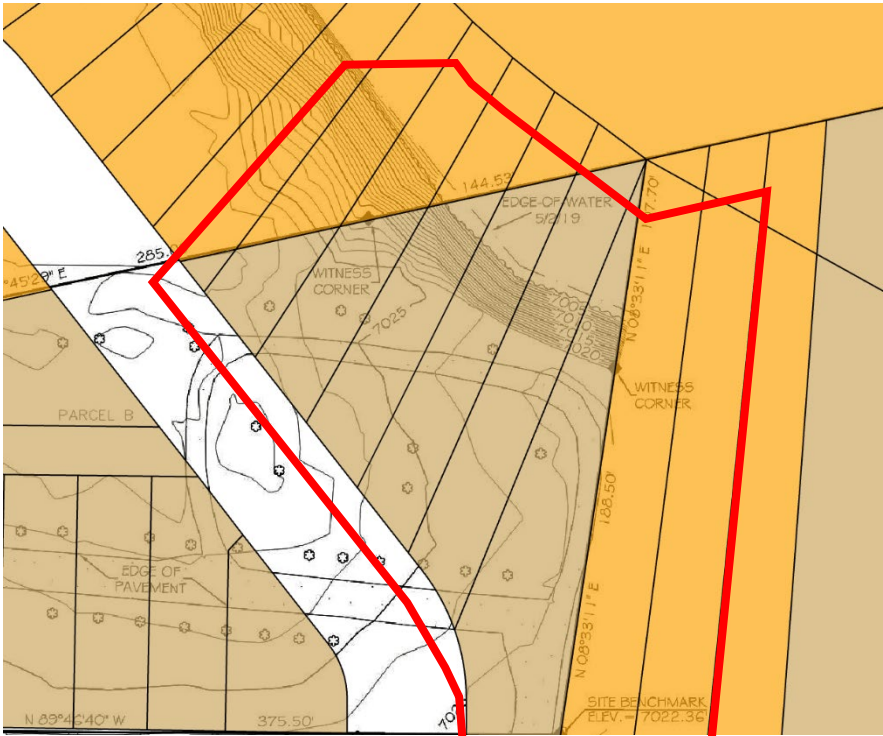
*“Medium-Density Residential (R-2). The purpose of the Medium-Density Residential (R-2) zone district is to provide for residential neighborhoods comprised of **detached single-family dwellings, duplex dwellings and multi-family residences on smaller lots than are permitted in the Single-Family Residential (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.”* (emphasis added)

The applicants argue that the subject lots should be rezoned R-2 due for a variety of reasons, including:

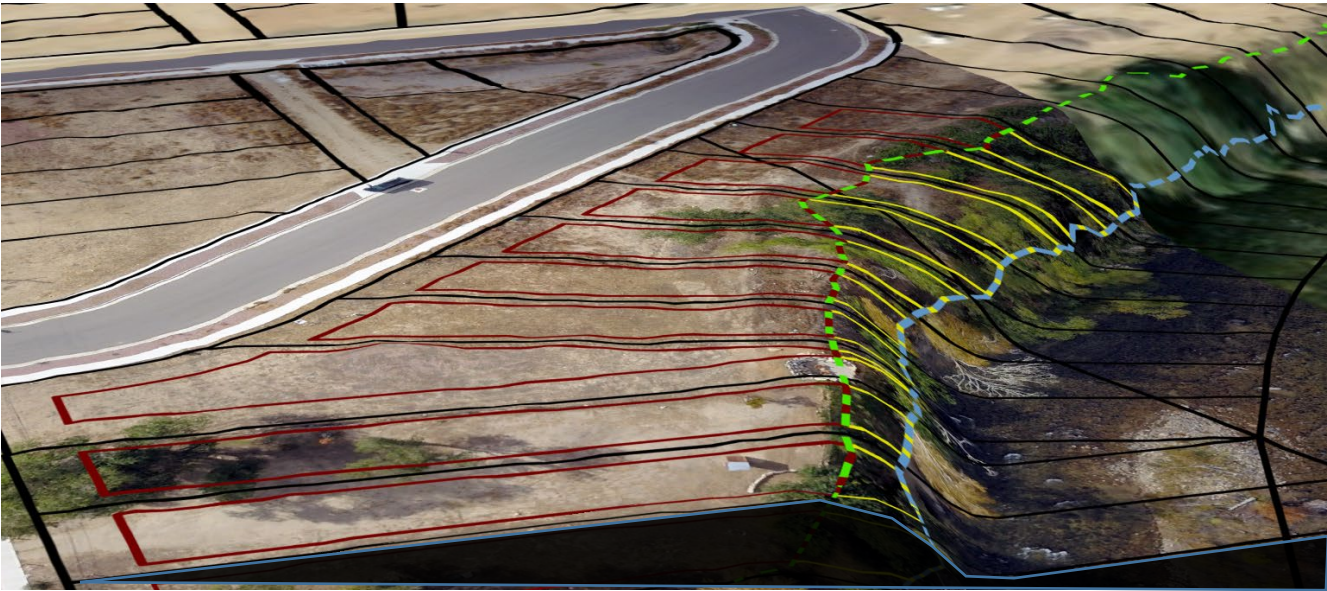
- The existing split-zoning creates unnecessary confusion/challenges to development and taxation.
- Lower densities would be preferable adjacent to the Arkansas River.
- The HOA design guidelines favor single-family homes, at least in this particular location, and they forbid modular and mobile homes throughout the subdivision.
- The narrowness of the lots, limited developable space due to topography and floodplain, and the lack of alley parking access all make higher-density development considerably more challenging, and therefore the lots are more suited to single-family development.

Staff concurs with the applicant that split-zoning creates considerable confusion, in numerous ways, and would support rezoning to a singular zone on each of the lots. Staff also supports the conclusion that high-density development may not be ideal right up along the Arkansas River and its associated riparian area—the impacts on the river from construction, overall lot coverage, increased use, required parking spaces and associated runoff, etc. could be highly consequential. Staff is not particularly concerned with the HOA guidelines, but does acknowledge that the original developer likely assumed that stick-built detached single-family homes would be allowed in the development. It is not clear whether or not they were told by staff (or anyone else) at time of subdivision that a future rezoning may be required in order to

permit that particular type of use. In regards to the narrowness, developability, and access to the lots, staff concurs with the applicants that the potential density of the individual lots are severely impacted, as shown by the following topographic maps and photos:

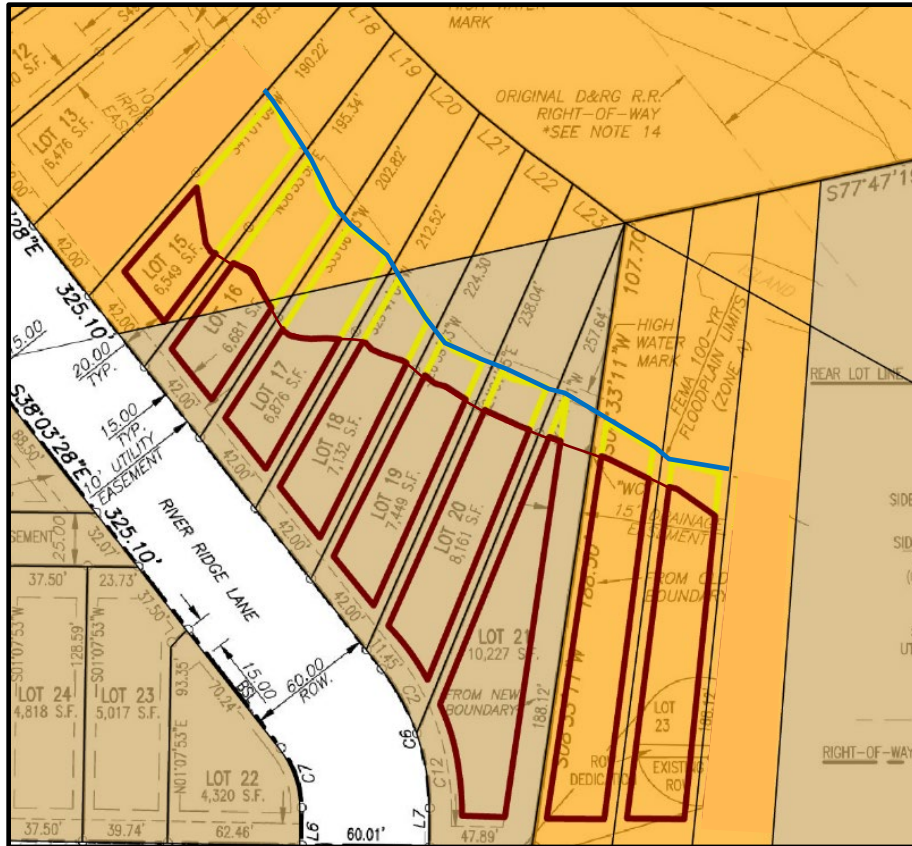


The above map shows how steep the drop-off is on each of the lots, approximately half to two-thirds of the way back. (No current topographic information was available at the time for the lots within the Dutch Run Subdivision, but the riverbank continues through them, as well).



The oblique photo above shows significant drop-off towards the back of the lots. The dotted blue line represents the 100-year floodplain. The dotted green line represents the top of bank.





The above map shows the amount of developable land on each lot, incorporating current allowable setbacks, the floodplain boundary (blue), and the steep drop below the top of bank (beginning at edge of red).

LOT #	Lot Size (SF)	Buildable Area to Floodplain (SF)	% of Lot Buildable to Floodplain	Buildable Area To Ridge (SF)	% of Lot Buildable to Ridge
Lot 15	6549	2667	40.7	1222	18.7
Lot 16	6681	2824	42.3	1440	21.5
Lot 17	6876	2803	40.8	1553	22.6
Lot 18	7132	2749	38.5	2128	29.8
Lot 19	7449	2836	38.1	2447	32.9
Lot 20	8161	3355	41.1	2909	35.6
Lot 21	10227	4207	41.1	4145	40.5
Lot 1	10185	4495	44.1	4142	40.7
Lot 2	10216	4062	39.8	3719	36.4

As the above spreadsheet shows numerically, the lots are significantly encumbered and leave relatively little buildable space, esp. for the construction of multiple units on any one lot. In fact, the practical density (i.e. what could feasibility be built) if the lots remained R-3 or R-4 would likely be no different than what could be built if the lots were rezoned to R-2. No nonconformities would be created by such a rezone and the only change to allowed setbacks would be from a 15' front yard setback in R-4 to 20' in R-2. One clear difference, however, is that detached (stick-built) single-family homes would be permitted.

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

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

The City of Salida Comprehensive Plan does not specifically speak to the intensity of uses in this area of the City (in fact, it is not even included in the Plan’s Land Use Map). The most relevant issues to this particular request involve Infill/Redevelopment, Visual Resources, and Sensitive Lands. Though the Comp Plan encourages efficient use of lands and appropriate infill, it must be noted that the practical maximum density of the lots in question, esp. given the diverse ownership, would not be substantially affected by the rezone request. Principle ES-1 Visual Resources Policy #1 states that “Development and/or expansion of existing development should not encroach on important visual resources.” The Arkansas River is discussed as one of these visual resources in the text, and higher-density housing along this river bank could provide a significant visual barrier in this particular location. Lastly, the Comp Plan discusses the importance principle of protecting sensitive lands such as the Arkansas River corridor. A reduction in density via a rezone to R-2, which would allow for single-family detached homes, is consistent with this principle and its related policies.

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.

As discussed above, the intent and desire of the applicants are to be able to build detached stick-built single-family homes on their properties along this stretch of the Arkansas River. Whether such a use is allowed in the Code on R-3 or R-4-zoned lots is dubious at best. R-2, however, would allow for such a use, as well as other types of residential uses.

Staff finds that the request is consistent with the purpose of the R-2 zone district.

- 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.

The in-City zone districts closest to the subject property are zoned either R-3 or R-4, within the same subdivisions. There is also a Planned Development (Two Rivers) with underlying zoning of R-2 and R-3 directly across Old Stage Road from the subject properties. It is assumed that other lots within the subdivisions may require similar rezones in the future, at the very least to clean up some of the split-zoning in the area, if not more. As mentioned, the practical maximum density of the lots would not be substantively impacted by the rezone to R-2. And R-2, which would allow for a mix of uses including single-family homes, would not be incompatible with the prevalence of existing single-family, duplex, and triplex units in the surrounding neighborhood.

Staff finds that the request is compatible with surrounding zone districts and uses.

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.
- Though conditions on the subject parcels have not specifically changed, there very well may have been some incorrect assumptions or conclusions about the type of development allowed and/or feasible on the individual lots—both due to the purpose and intent of the existing zone districts and the topography/buildability of each lot. In staff’s opinion, R-3 may not have been the most appropriate zoning for the new lots along the river; however, differentiated zoning across the subdivision could not have been accomplished without platted lots that later undergo a rezone process. Plus, the mobile home park that once was located in the area zoned R-4 was already removed prior to the subdivision being approved, and there was no indication that this subdivision would include (or even allow) manufactured housing or mobile homes. This rezone request attempts to correct such potential errors.

**RECOMMENDED FINDINGS:**

The application is in compliance with the review standards for map amendments because these properties cannot feasibly accommodate high-density use; are located in an ecologically sensitive and important location; and such a zone change would still be compatible with other single-family, duplex, and triplex uses in the surrounding area.

**RESPONSE FROM REFERRAL DEPARTMENTS AND AGENCIES:**

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

Police Department – Chief Russ Johnson – No issues from PD.

Public Works Department – Director, David Lady – No issues from Public Works.

Finance Department - Renee Thonhoff, Staff Accountant – Salida Utilities is fine with the rezoning of these lots. Utilities will not be impacted.

**STAFF RECOMMENDATION:**

Staff recommends approval of the proposed re-zoning request for Lots 15-21 of the River Ridge Subdivision and Lots 1 & 2 of the Dutch Run Subdivision to R-2, Medium-Density Residential based off of a number of relevant factors, including:

- Split-zoning is an considerable procedural and administrative challenge, and should be cleaned up whenever possible.
- The developability of the lots is significantly encumbered by the narrowness of the lots, the locations of the floodplain, topography associated with the river bank, and limited access to each lot.
- The practical maximum density of the lots would not be substantively impacted by the rezone to R-2, due to the development challenges mentioned above.
- The lots in question are located along the Arkansas River, a sensitive natural resource with associated riparian area, where medium density may be appropriate.

- The value of R-3 and R-4 zone districts is great and should not be “diluted” by allowing uses/density that are incompatible with the stated purposes of each zone. Staff believes this is not an appropriate location for such zone districts and such zoning does not match the original vision for the subdivision, which can largely be met via R-2 zoning.

**RECOMMENDED MOTION:**

“I make a motion to recommend the City Council approve the rezoning of the subject properties from High-Density Residential (R-3), Manufactured Housing Residential (R-4), or a combination thereof, to Medium-Density Residential (R-2), as it meets the review standards for map amendments.”

**SPECIAL NOTE:**

Staff would appreciate if Planning Commission provided thoughts on how other R-3, R-4, or split-zoned lots in these two subdivisions, at least, might best move forward should other similar situations arise.

Attachments:

- Application materials for Re-zoning
- City Council Action Form from River Ridge/Treat-Mesch Zoning
- City Council Action Form from River Ridge Major Subdivision
- City Council Action Form from Dutch Run/Buckley-Meadows Zoning
- City Council Action Form from Dutch Run/Geodesia Annexation and Minor Subdivision
- Proof of publication



# 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)

- Annexation
- Pre-Annexation Agreement
- Appeal Application (Interpretation)
- Certificate of Approval
- Creative Sign Permit
- Historic Landmark/District
- License to Encroach
- Text Amendment to Land Use Code
- Watershed Protection Permit
- Conditional Use
- Administrative Review:  
(Type)\_\_\_\_\_
- Limited Impact Review:  
(Type)\_\_\_\_\_
- Major Impact Review:  
(Type)Re-Zoning\_\_\_\_\_
- Other:\_\_\_\_\_

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

### A. Applicant Information

Name of Applicant: see attached for names, addresses, and signatures of applicants/property owners

Mailing Address: see attached

Telephone Number: see attached FAX: \_\_\_\_\_

Email Address: see attached

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: River Ridge and Dutch Run Subdivisions

Street Address: River Ridge Lane and Old Stage Road

Legal Description: Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_ (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 \_\_\_\_\_ Date \_\_\_\_\_

Signature of property owner \_\_\_\_\_ Date \_\_\_\_\_

GENERAL DEVELOPMENT APPLICATION – APPLICANT’S SIGNATURE SHEET



Date October 10, 2022

**Benjamin Griffin**  
River Ridge Lots 15, 16, and 17  
233, 239, and 243 River Ridge Lane  
[Benjaming79@yahoo.com](mailto:Benjaming79@yahoo.com)  
303-859-0031  
924 E Street  
Salida, CO 81201

GENERAL DEVELOPMENT APPLICATION – APPLICANT’S SIGNATURE SHEET



Date 10/10/2022

**Kyle Weiss**  
River Ridge Lots 18 and 19  
249 and 253 River Ridge Lane  
[k.weiss408@gmail.com](mailto:k.weiss408@gmail.com)  
408-781-0505  
637 E Street  
Salida, CO 81201

GENERAL DEVELOPMENT APPLICATION – APPLICANT’S SIGNATURE SHEET



Date 10/13/22

**Sage Kitson or Ray Kitson**

River Ridge Lot 20  
257 River Ridge Lane

Email RAYKITSON@MAC.COM

Phone 719-557-0922

Address \_\_\_\_\_  
\_\_\_\_\_



GENERAL DEVELOPMENT APPLICATION – APPLICANT’S SIGNATURE SHEET

Robert Karl

Date 10/8/2022

**Robert Karls**

River Ridge Lot 21  
265 River Ridge Lane  
Dutch Run Lots 1 and 2  
403 and 409 Old Stage Road  
bobkarlshome@gmail.com  
719-539-2910  
348 Poncha Blvd.  
Salida, CO 81201

Charlotte Karls

Date 10/8/2022

**Charlotte Karls**

River Ridge Lot 21  
265 River Ridge Lane  
Dutch Run Lots 1 and 2  
403 and 409 Old Stage Road

October 6, 2022

#### STATEMENT OF INTENDED DEVELOPMENT

River Ridge Subdivision: Lots 15, 16, 17, 18, 19, 20, and 21

Dutch Run Subdivision: Lots 1 and 2

The above noted lots are currently zoned R-3 or R-4, or are split-zoned R-3 and R-4. The Owners propose changing the zoning to R-2.

The Owners request a change in zoning for the following reasons:

1. The current split-zoning of several of the lots creates unnecessary confusion regarding tax payments and property development.
2. While the proposed R-2 zoning does not preclude R-3 densities, it seems natural that lower densities implied by R-2 zoning would be preferable adjacent to the riverfront ecosystem.
3. The HOA design guidelines appear to favor single-family homes, which was the assumption of the property owners.
4. The HOA design guidelines forbid modular homes, which effectively excludes R-4 development. Property owners were under the assumption no modular/mobile homes would be allowed in the development.
5. The riverfront lots require parking in front of the residence. Due to the narrowness of the lots, and the requirement for parking in front, it is unlikely that a high density development would occur on a single lot. Therefore, it is assumed that most (if not all) of these riverfront lots will have a single-family home which is in keeping with R-2 zoning.
6. The building footprint of the lots is extremely limited, despite the size of the lots. This is due both to the narrowness of the lots, the proximity to the river, and the steep slope which starts to occur approximately 45' into the lot. This further limits R-3 development.

Several of the petitioning Owners propose to build one single-family residence on two lots. It is intended that earliest construction start would be in December, 2022.

The change in zoning will not affect surrounding uses, as all zoning would still be residential in nature, and does not preclude higher density development. The planned development across the street (Two Rivers Subdivision) has a mix of single-family and duplex/townhouses, with riverfront lots allowing primarily for single-family.



# CODE OR MAP AMENDMENT 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)

## A. TYPE OF AMENDMENT (City Code Section 16-2-40)

- Text Amendment to the Land Use Code
- Map Amendment to the Official Zoning Map (Rezoning)

## B. APPLICATION PROCEDURE (City Code Section 16-2-40)

1. Preapplication Conference (optional)
2. Submittal of Application
3. Staff Review. Schedule Hearing. Forward Report to Applicant and Planning Commission
4. Public Notice Provided for Hearing
5. Public Hearing Conducted by Planning Commission and Recommendation to City Council
6. Public Notice of City Council Hearing
7. Public Hearing Conducted by City Council and Action Taken.

## C. APPLICATION CONTENTS (City Code Section (text amendment 16-2-40))

### Text Amendment:

- 1. **General Development Application.**
- 2. **Precise Wording.** Precise wording of the proposed text amendment. Ten copies of the text amendments shall be submitted. The copies shall only be accepted on 8.5x11paper and shall be typed.
- 3. Application Fees.

### Map Amendment:

- 1. **General Development Application.**
- 2. **Ten (10)** copies of the map amendment package shall be submitted. The copies shall only be accepted on 82" x 11", 11" x 17" or 24"x 36" paper. The copies shall include:
  - a. **Zone Districts.** The present zone district designation(s) of the property and the zoning of all adjacent properties.
  - b. **Survey Map.** An accurate survey map of the property proposed for amendment, stating the area of the property proposed to be amended in square feet or acres.
  - c. **Existing Uses.** Current land use on the property and on all adjacent properties.
  - d. **Statement of Intended Development.** A written statement by the applicant identifying the intended use or development of the subject property and the timing of said development, describing the community need for the change in zoning, and explaining the effect the change of zoning would have on surrounding uses.
- 3. **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.

- 4. **Application Fees.** Cash or check made out to City of Salida - \$1,050 (**text amendment**) (\$350 application fee + \$700 deposit for outside professional services) **or** \$1500 (**rezoning**) (\$500 application fee + \$1000 deposit for outside professional services).
- 5. **Special Fee and Cost Reimbursement Agreement completed.**

**D. REVIEW STANDARDS** (If necessary, attach additional sheets)

Text Amendments (City Code Section 16-2-50).

1. **Consistency with Purposes.** The proposed amendment shall be consistent with the purposes of the Land Use Code.  
 N/A

2. **Not Conflict with Other Provisions.** The proposed amendment shall not conflict with any other applicable provisions of this Land Use Code, or shall repeal or amend provisions of this Land Use Code which are inconsistent, unreasonable or out-of-date.  
 N/A

3. **Consistency with Comprehensive Plan.** The proposed amendment shall be consistent with the Comprehensive Plan, or shall implement a new portion of the Comprehensive Plan, or shall implement portions of the Comprehensive Plan which have proven difficult to achieve under the existing provisions of this Land Use Code.  
 N/A

4. **Public Health, Safety and Welfare.** The proposed amendment shall preserve the public health, safety, general welfare and environment and contribute to the orderly development of the City.  
 N/A



**Map Amendments (Rezoning)** (City Code Section 16-4-210).

**1. Consistency with Comprehensive Plan.** The proposed amendment shall be consistent with the City of Salida Comprehensive Plan.

Change from R-3/R-4 split zoning to R-2 zoning is consistent with the City of Salida Comprehensive Plan. R-2 zoning does not exclude R-3 development, and eliminating the split zoning of the lots will alleviate administrative errors and confusion.

**2. Consistent 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.

A change from R-3/R-4 split zoning to R-2 zoning will allow for more or less the same density as R-3, while also allowing for single family homes that most lot owners understood they could build based on the HOA design guidelines.

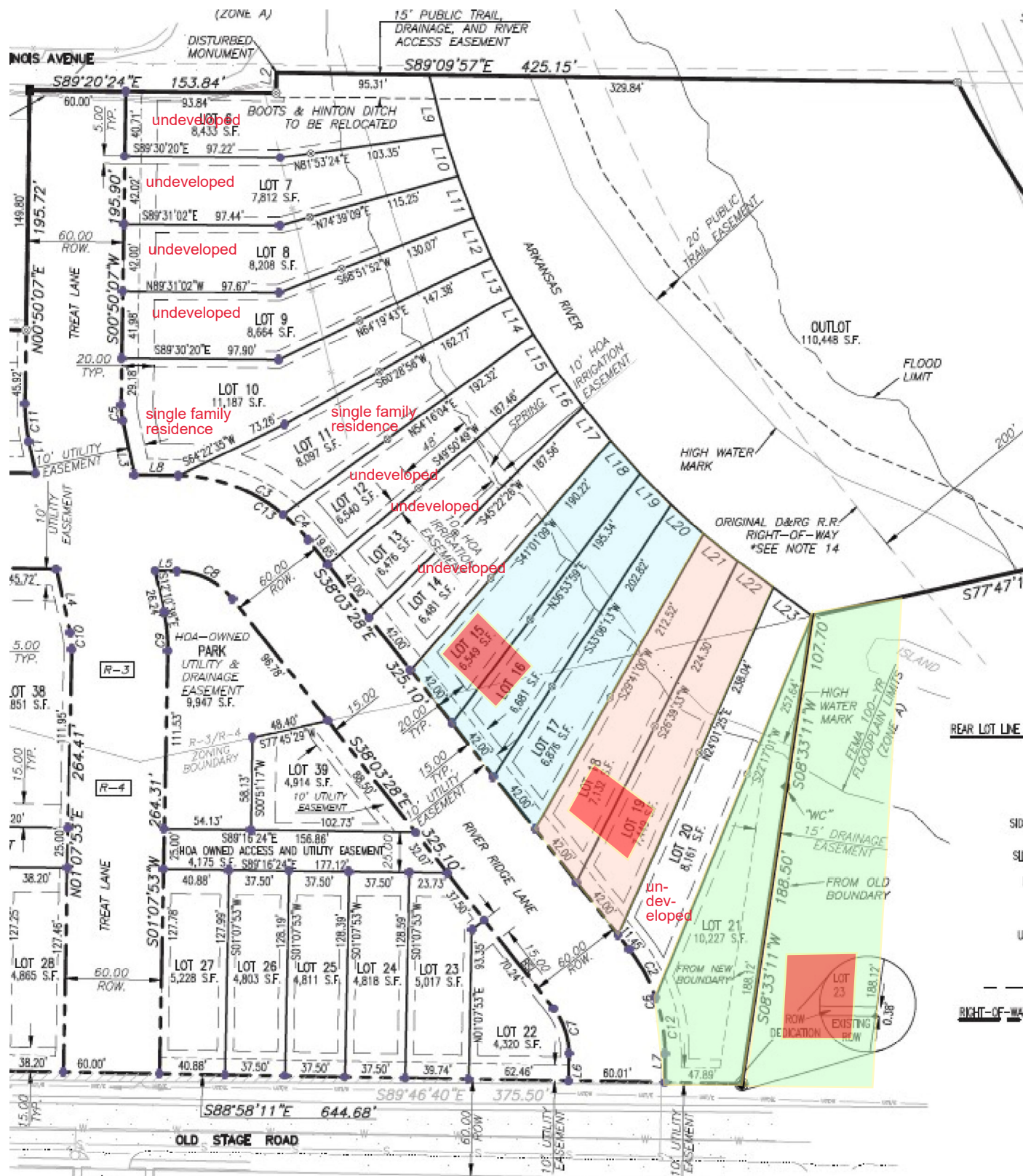
**3. Compatibility with Surrounding Zone Districts and Uses.** The development permitted by the proposed amendment shall be compatible with surrounding zone districts, land uses, and neighborhood character.

The proposed amendment will be compatible with the subdivision character and the surrounding zone districts. Based on current development, there is a mix of single-family, duplex, and town-homes in the subdivision. Changing a portion of these lots to R-2 will in no way change the character of the surrounding zone districts, land uses, or neighborhood.

**4. Changed Conditions or Error.** 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 or more errors in the boundaries shown on the Official Zoning Map have occurred.

The split-zoned lots should have been single-zoned at the time of subdivision to eliminate issues with development. In addition, it should have been assumed that the river front lots would primarily be developed with single family homes due to the requirement for front parking, the narrowness of the lots, and the small building footprints.

# LOT OWNERSHIP & DEVELOPMENT



- single owner - three lots
- single owner - two lots
- single owner - three lots (two in Dutch Run Subdivision)
- proposed single-family development (graphic representation only)



REQUEST FOR CITY COUNCIL ACTION

Meeting Date: February 19, 2019

<b>AGENDA ITEM NO.</b> 6.c	<b>ORIGINATING DEPARTMENT:</b> Community Development	<b>PRESENTED BY:</b> Glen Van Nimwegen
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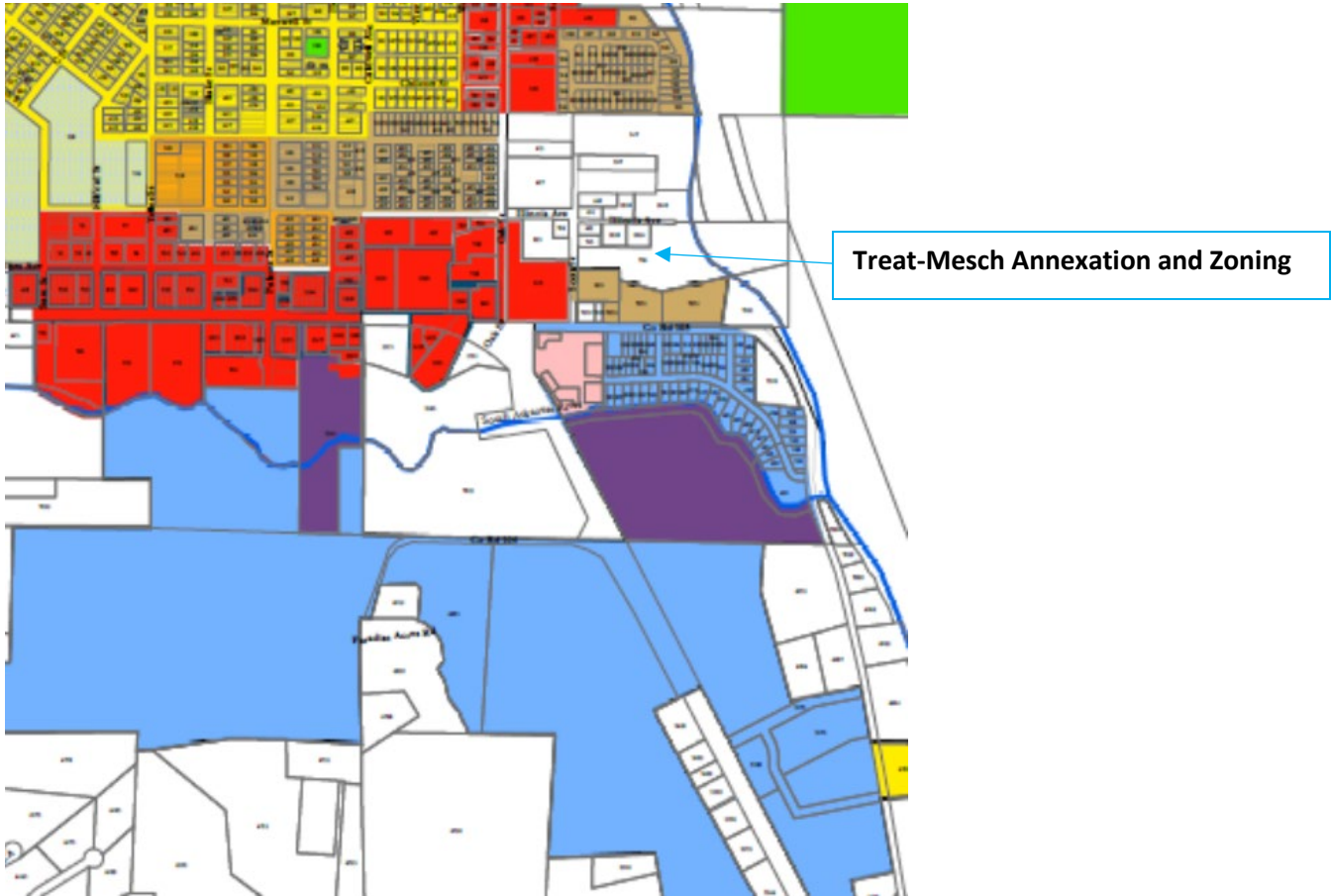
**ITEM:**

Ordinance 2019-03 – Public Hearing and Second Reading on an Ordinance to Zone 7.5 Acres Located at 786 Scott Street to R-3, High Density Residential District.

**BACKGROUND:**

The proposed rezoning is paired with the previous items regarding the annexation agreement (Resolution 2019-09); and annexation of the site (Ordinance 2019-02). City Council approved the zoning ordinance on first reading on February 5, 2019.

**Applicants:** Robert D. Treat as represented by Joe Deluca of Crabtree Group, Inc.



**Surrounding Land Use and Zoning:** The site to the west is zoned C-1, Commercial District and is being used as a mobile home park; South is zoned R-4 and includes residential uses and a former mobile home park. The property to the north remains in Chaffee County with the zoning of



REQUEST FOR CITY COUNCIL ACTION

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RES, Residential Zone District. The land east of the parcel is also in Chaffee County and is zoned REC, Recreational.

**ZONING:**

The applicant is requesting R-3 zoning as it is consistent with the zoning in the neighborhood and meets their preliminary plans for a residential neighborhood with various housing types and densities.

Though the applicants did show a proposed subdivision of approximately 10 duplex and 10 single-family lots at the conceptual meeting on December 3, 2018, the allowed density could be as many as 96 units on the west 5.3 acres. However, the limited street frontage and floodplain will limit development of the site. Regardless, the R-3 district is consistent with the city zoning on the east and south.



The review standards for a rezoning include:

1. Consistency with the Comprehensive Plan: The Comprehensive Plan includes the goals that new projects should complement the neighborhood's mass and scale and be focused within the Municipal Services Area. The proposal supports these goals.





**REQUEST FOR CITY COUNCIL ACTION**

Meeting Date: February 19, 2019

<b>AGENDA ITEM NO.</b> 6.c	<b>ORIGINATING DEPARTMENT:</b> Community Development	<b>PRESENTED BY:</b> Glen Van Nimwegen
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2. Consistency with the Purpose of the Zone District: The purpose of the R-3 district is to provide "...relatively high density duplex and multi-family residential areas, including primarily triplex, townhouse and apartment uses."
3. Compatibility with Surrounding Zone District and Uses: The R-4 district is the dominant zoning classification on the north side of Old Stage Road. Transitioning to R-3 on the subject parcel is compatible between the R-4 and C-1 zoning that exists in the neighborhood.
4. Changed Conditions or Errors: The proposed zoning is occurring because of the requirement to rezone property annexed to the City in accordance with Section 16-4-50 of the Land Use and Development Code.

**RESPONSE FROM REFERRAL DEPARTMENTS AND AGENCIES:**

- Salida Fire Department: Doug Bess, Fire Chief, responded "Fire Department does not have any concerns at this time."
- Salida Police Department: Chief Russ Johnson responded "Looks good to me."
- Chaffee County Development Services Department: Jon Roorda, Planning Manager stated "Chaffee County supports this annexation request."
- Salida Public Works Department: Public Works Director David Lady has requested improvements be made to Scott Street; and considerations be made when the site is developed regarding street and utility connections. These recommendations will be incorporated into an annexation agreement described in the annexation memo regarding Ordinance 2019-02.

**STAFF RECOMMENDATION:**

Staff recommends the City Council approve the proposed zoning.

**PLANNING COMMISSION RECOMMENDATION:**

On January 28, 2019 the Planning Commission held a public hearing and recommended the City Council approve the proposed zoning by a vote of 7-0.

**SUGGESTED MOTIONS:**

A Council person should make a motion "to approve Ordinance 2019-03 on second reading."

Attachments

- Ordinance 2019-03
- Conceptual Subdivision

**CITY OF SALIDA, COLORADO  
ORDINANCE NO. 03  
SERIES OF 2019**

**AN ORDINANCE OF THE CITY OF SALIDA, COLORADO, ZONING CERTAIN REAL PROPERTY KNOWN AS THE TREAT-MESCH ANNEXATION AS HIGH DENSITY RESIDENTIAL (R-3) ZONE DISTRICT**

**WHEREAS**, November 30, 2018, Robert D. Treat (“Petitioners”), filed a General Development Application to commence proceedings to annex to the City of Salida (the “City”) a certain unincorporated tract of land comprised of 7.5 acres located at 786 Scott Street, Salida, County of Chaffee, State of Colorado (the “Property”), and being more particularly described on Exhibit A, attached hereto and incorporated herein by this reference; and

**WHEREAS**, by Ordinance No. 02, Series of 2019 the City of Salida annexed the Treat-Mesch Annexation to the City; and

**WHEREAS**, Petitioner has filed an application to zone the Property within the High Density Residential District (R-3), and on January 28, 2019 the City of Salida Planning Commission considered the zoning application for the Property and recommended that the City Council zone it as High Density Residential District (R-3); and

**WHEREAS**, as required by the Salida Municipal Code, the public hearing on the zoning application for the Treat-Mesch Annexation was held on February 19, 2019 at a regularly scheduled meeting of the Salida City Council.

**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 on Exhibit A is hereby zoned High Density Residential (R-3).
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 February 5, 2019, 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 \_\_\_\_\_, 2019 and set for second reading and public hearing on the 19th day of February, 2019.

INTRODUCED ON SECOND READING, FINALLY ADOPTED and ORDERED PUBLISHED IN FULL, by the City Council on the 19th day of February, 2019.

CITY OF SALIDA, COLORADO

\_\_\_\_\_  
P.T. Wood, Mayor

[SEAL]

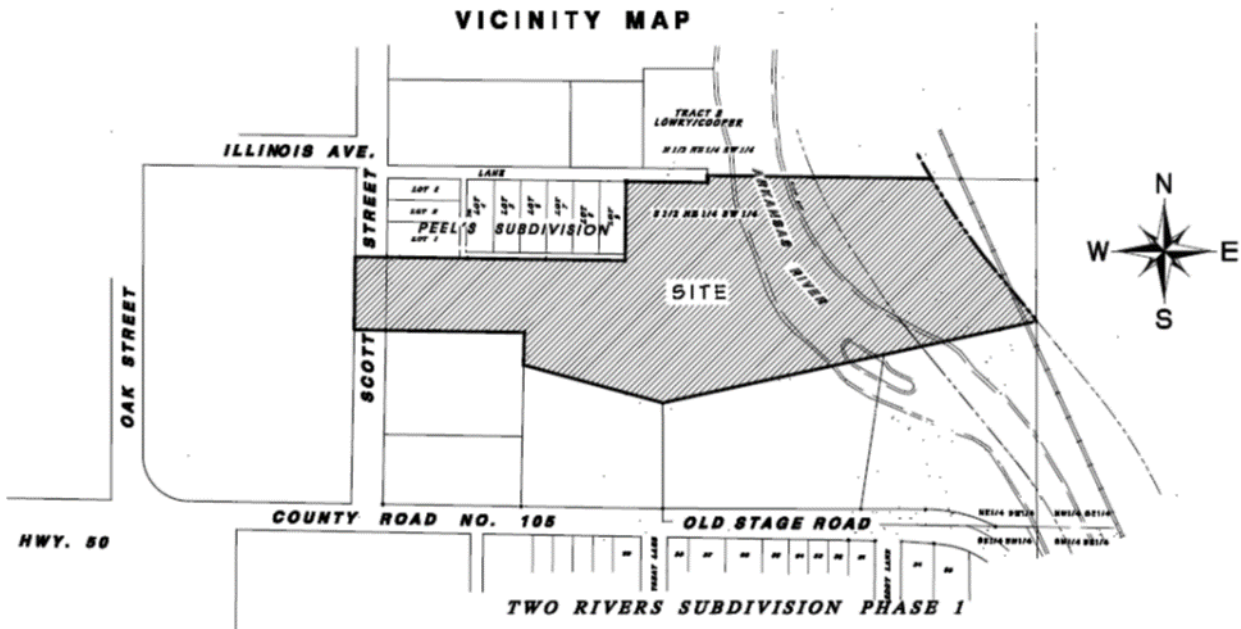
ATTEST:

\_\_\_\_\_  
City Clerk/Deputy Clerk

PUBLISHED IN FULL in the Mountain Mail after First Reading on the \_\_\_\_ day of \_\_\_\_\_, 2019, and BY TITLE ONLY, after final adoption on the \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
City Clerk/Deputy City Clerk

EXHIBIT A



NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO DOES HEREBY APPROVE AND ACCEPT THE TREAT-MESCH ANNEXATION DESCRIBED HEREIN; TO WIT, THE TERRITORY COMPRISING 7.7 ACRES, MORE OR LESS (INCLUSIVE OF PUBLIC RIGHT OF WAY, AND BEING DESCRIBED AS FOLLOWS:

Part of the South Half of the Northeast Quarter of the Southwest Quarter (S1/2 NE1/4 SW1/4) of Section 4, Township 49 North, Range 9 East of the New Mexico Principal Meridian, Chaffee County, Colorado, described as follows, to-wit: Beginning at a point on the East side line of a lane or street known as Scott Street, from whence the Northwest corner of said subdivision bears first North 163 feet; thence West 37 feet; thence proceeding around the tract herein described East 452 feet; thence North 150 feet; thence East 154 feet; thence North 13 feet to a point on the North line of said S1/2 NE1/4 SW1/4; thence East 677 feet, more or less, to the East line of said subdivision; thence South, along said East line, 261.2 feet; thence South 77°30' West 806.4 feet; thence North 75° West 277 feet; thence North 54 feet; thence West 227 feet, more or less, to the said East line of said lane or street known as Scott Street; thence along the East side line of said street 167 feet to the point of beginning

EXCEPTING THEREFROM those tracts of land granted to the Denver and Rio Grande Western Railroad Company in deeds recorded at Book 73 at Page 309, in Book 147 at Page 268 and in Book 147 at Page 279 of the Chaffee County records.

TOGETHER WITH that portion of Scott Street adjoining the westerly-most boundary of the above described tract

ALL BEING COLLECTIVELY AND MORE ACCURATELY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

A tract of land located in the South Half of the Northeast Quarter of the Southwest Quarter (S1/2 NE1/4 SW1/4) of Section 4, Township 49 North, Range 9 East of the New Mexico Principal Meridian and a portion of Scott Street, all in Chaffee County, Colorado, and being more particularly described as follows:

Beginning at a point on the East side line of a lane or street known as Scott Street, from whence the Northwest corner of said subdivision bears first North 163 feet; thence West 37 feet; thence proceeding around the tract herein described, South 89°24'06" East along the south boundary of Peel's Subdivision a distance of 452 feet to the southeast corner thereof; thence North 00°31'36" East along the east boundary of said subdivision a distance of 150.0 feet to the south boundary of a lane; thence South 89°31'00" East along the south boundary of said lane 154.0 feet to the southeast corner of said lane; thence North 00°29'00" East along the east boundary of said lane 13.0 feet to a point on the north boundary of the said S1/2 NE1/4 SW1/4; thence South 89°25'50" East along said north boundary 425.2 feet, more or less, to the westerly boundary of the tract of land granted to the Denver and Rio Grande Railroad Company in Book 73 at Page 309 of the Chaffee County records; thence along the westerly boundary of said railroad tract, first along the arc of a curve a distance of 173.91 feet, said curve having a radius of 900.0 feet and a chord which bears South 34°00'47" East 173.64 feet, and thence South 39°32'54" East 161.36 feet to the east boundary of the said S1/2 NE1/4 SW1/4; thence South 00°18'00" East along said east boundary 1.57 feet; thence South 77°30' West 725.59 feet; thence North 75°00'00" West 273.35 feet; thence North 00°52'00" East 61.82 feet; thence North 89°18'00" West 262.30 feet to the east boundary of Scott Street; thence continuing North 89°18'00" West 51.41 feet to the west boundary of Scott Street; thence North 00°23'00" West along the west boundary of Scott Street 138.38 feet; thence South 89°24'06" East 54.05 feet to the point of beginning.

**REQUEST FOR CITY COUNCIL ACTION**

Meeting Date: October 15, 2019

<b>AGENDA ITEM NO.</b> 6.a	<b>ORIGINATING DEPARTMENT:</b> Community Development	<b>PRESENTED BY:</b> Glen Van Nimwegen
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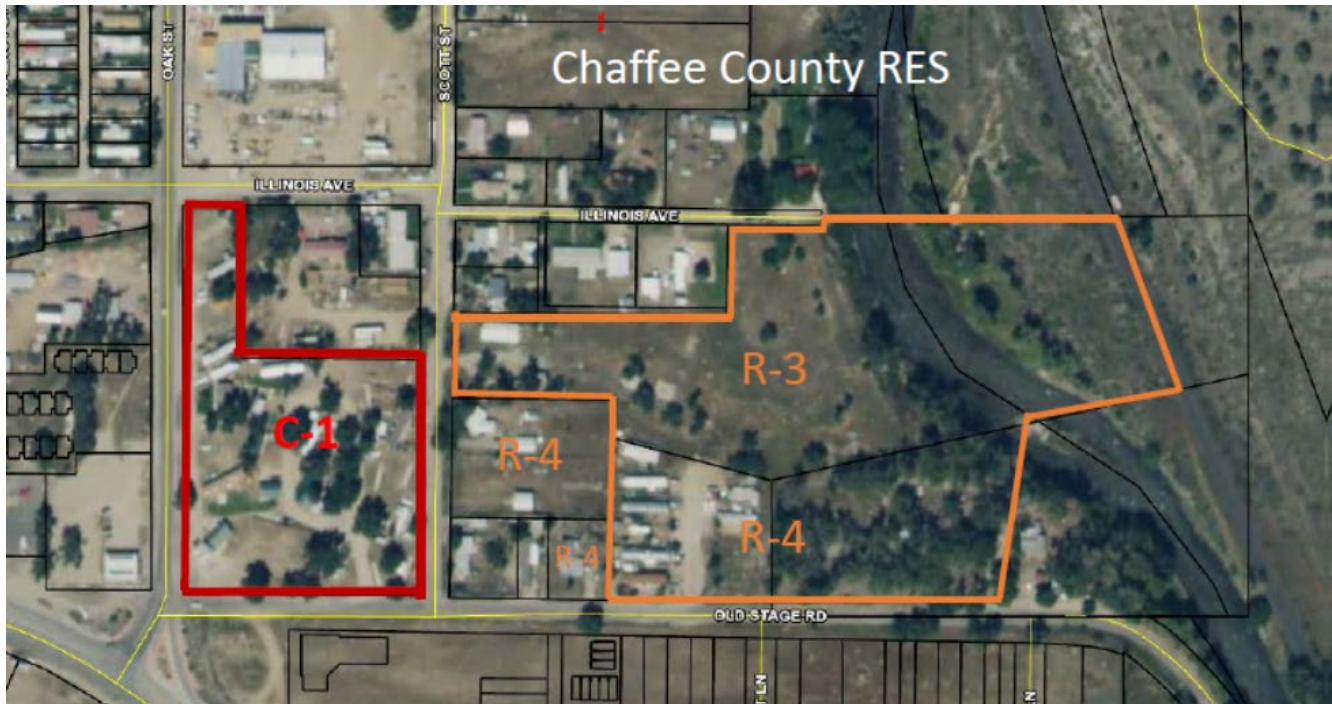
**ITEM:**

Resolution 2019-50: Public Hearing for Consideration of River Ridge Major Subdivision

**REQUEST / BACKGROUND:**

The applicant is requesting the City Council approve the River Ridge Major Subdivision for an 11.17 acre parcel generally located between Old Stage Road (CR 105) north to Illinois Avenue; and the Arkansas River west to Scott Street. The address is 786 Scott Street. The proposed subdivision consists of 41 lots. The site is zoned High Density Residential (R-3) and Manufactured Housing Residential District (R-4).

**Applicants:** Arkansas Living, LLC as represented by Joe Deluca of Crabtree Group.



The north half of the site was the subject of recent annexation and zoning actions. The applicant recently acquired two parcels south of the original site which are zoned R-4. A Conceptual Review Meeting with the Planning Commission and City Council occurred on June 3, 2019.

The 41 lots range in size from 11,000 square feet to 4,570. There should be a diversity of housing styles from duplexes, single-residences and possibly triplexes. Key aspects of the neighborhood now include a private park in the center, public access to the river and many of the lots are now accessed by alleys.

**REQUEST FOR CITY COUNCIL ACTION**

Meeting Date: October 15, 2019

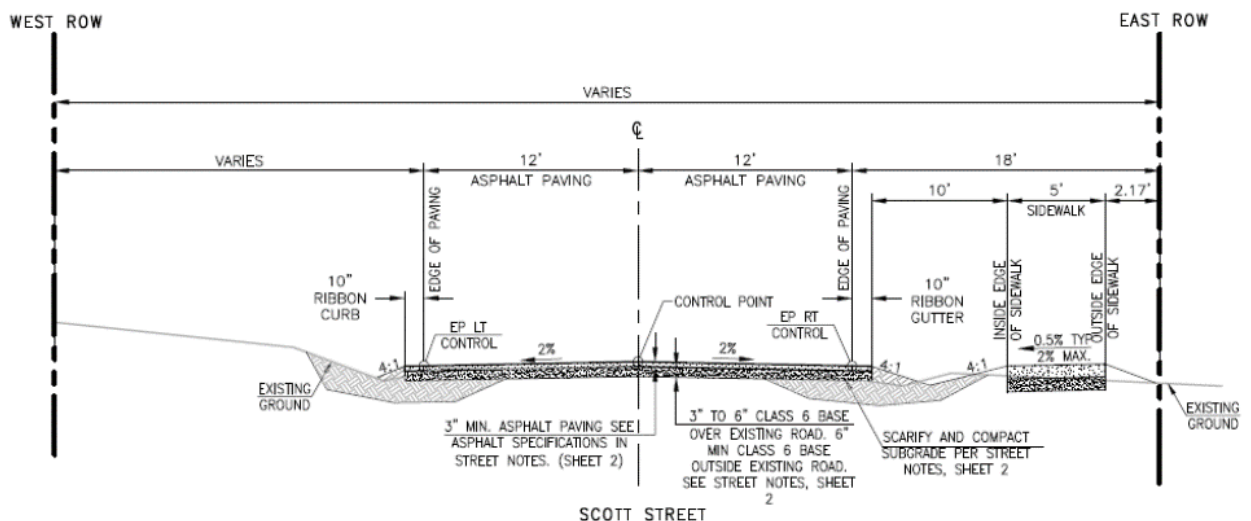
<b>AGENDA ITEM NO.</b> 6.a	<b>ORIGINATING DEPARTMENT:</b> Community Development	<b>PRESENTED BY:</b> Glen Van Nimwegen
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The applicant is intending to develop the site with a diversity of housing types and densities, with the possibility of light commercial uses. The lot sizes range from 5,985 square feet to 2.7 acres. The latter parcel will probably be developed as multi-family development. Most of the lots will be accessed by an alley from the rear. An eight foot wide bike/pedestrian path and six feet of landscaping will be constructed adjacent to Highway 50. The subdivision will also have access to the public trail on the north side of the site that was constructed by the developer in phase one.

**MAJOR SUBDIVISION REVIEW:**

A major subdivision requires a recommendation from the Planning Commission and final approval by the City Council. The proposed subdivision must comply with the following standards:

1. Comprehensive Plan. The proposed subdivision is consistent with the Comprehensive Plan that promotes diverse residential housing styles and access to trails and open space.
2. Zone District Standards. The proposed subdivision and ultimate development of the lots will comply with the R-3 and R-4 zoning and other applicable standards of the Land Use and Development Code.
3. Improvements. Besides the new interior streets, the applicant will be improving the north side of Old Stage Road. The annexation agreement for the project allows the option of providing funds for the construction of Scott Street adjacent to the subdivision, versus construction this small segment. Staff is recommending this decision be made to staff after seeing how the existing roadway holds up to heavy construction equipment traffic that will occur why the project is being constructed.



4. Natural Features. The site is relatively flat except for the area directly adjacent to the Arkansas River. The buildable area of the subdivision is approximately 25 feet above the water level of

**REQUEST FOR CITY COUNCIL ACTION**

Meeting Date: October 15, 2019

<b>AGENDA ITEM NO.</b> 6.a	<b>ORIGINATING DEPARTMENT:</b> Community Development	<b>PRESENTED BY:</b> Glen Van Nimwegen
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the Arkansas River. “Natural features and native vegetation shall be preserved whenever possible. Tree masses and individual trees of six-inch caliper or greater shall be preserved.”

5. Floodplains. A portion of the east side of the site adjacent to the Arkansas River is within the 100 year floodplain. The Floodplain Administrator is recommending conditions on any development activities that may occur within the Special Flood Hazard Area (Attachment 6).



6. Noise Reduction. “Where a subdivision borders on or contains a highway right-of-way, the City shall require adequate provisions for reduction of noise. A parallel street, landscaping, screening, easement, greater lot depth, increased rear yard setbacks and fencing are potentially appropriate solutions, among others.” River Ridge is not adjacent to a highway.
7. Future Streets. The applicant is proposing local streets within the development with 34 feet of roadway versus our standard of a 38 foot roadway. Section 16-8-20 (f) of the Land Use Code allows an applicant to make their case for a different road standard. The applicant has presented their case for the roadway reduction (Attachment 5). Attachment 6 shows the differences between the two roadways. After giving the applicant’s request consideration, we recommend the roadway be reduced to 36 feet wide, a reduction of two feet from the standard.

**REQUEST FOR CITY COUNCIL ACTION**

Meeting Date: October 15, 2019

<b>AGENDA ITEM NO.</b> 6.a	<b>ORIGINATING DEPARTMENT:</b> Community Development	<b>PRESENTED BY:</b> Glen Van Nimwegen
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8. Parks, Trails and Open Space. The developer has provided public access to the west side of the Arkansas River and a trail easement along the east side of the river. This was deemed “extraordinary” by the Planning Commission and therefore the open space requirements have been met. A private quarter acre park is provided in the center of the project.
9. Common Recreation Facilities. “Where a development is proposed to contain common recreation facilities, such facilities shall be located within the development so as to be easily accessible to the residents and to least interfere with neighboring developments.” The private park will not impact adjoining properties.
10. Lots and Blocks. “The size, shape and orientation of lots shall be appropriate to the design and location of the proposed subdivision and the type of development contemplated. Where appropriate, lots shall be laid out to respect the existing City pattern. Blocks generally shall not be less than three hundred (300) feet nor more than one thousand two hundred (1,200) feet in length.” The applicant has created the best layout holding to the above standard considering the angle of the adjacent river and desire to connect with existing Treat Lane.
11. Architecture. The design of the residential buildings will have to meet the design standards stated in the code to prevent monotonous streetscapes. The minimum standard is the same building front elevation cannot be repeated more than every fifth lot or directly across the street. The intent is the homes will be sold individually for custom homes so monotony should not be an issue.
12. Codes. The subdivision will comply with all applicable City building, fire and safety codes for the proposed development.
13. Inclusionary Housing. The developer has indicated they will meet the requirements through the collection of a fee in lieu with each building permit. For a major subdivision the fee is the lessor of \$15,748 or \$7.87 per habitable square feet of every principal unit.

**RESPONSE FROM REFERRAL DEPARTMENTS AND AGENCIES:**

- Salida Fire Department: Kathy Rohrich, Fire Inspector, reviewed the subdivision and is requiring a total of four hydrants. They are to be located at the intersections of River Ridge and Treat Lane at CR105; River Ridge and Scott Street and Treat Lane and Illinois Avenue.
- Salida Police Department: Lieutenant Russ Johnson stated we should consider yield signs be placed at the intersection of River Ridge Lane and Treat Lane. His concern will be mitigated by a four way stop at the center intersection.
- Chaffee County Development Services Department: No response.



**REQUEST FOR CITY COUNCIL ACTION**

Meeting Date: October 15, 2019

<b>AGENDA ITEM NO.</b> 6.a	<b>ORIGINATING DEPARTMENT:</b> Community Development	<b>PRESENTED BY:</b> Glen Van Nimwegen
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- Salida Public Works Department: Public Works Director David Lady has been involved in the development of the plans for the subdivision. He is recommending a number of changes to the plat and plans as outlined in his September 17, 2019 memo (Attachment 8).
- Salida Finance Department: According to Renee Thonhoff, Senior Accountant, there are a number of existing sewer and water taps devoted to the property and additional taps will be required.
- Xcel Energy: Sterling Waugh, Energy Planner stated a 10 foot wide utility easement is required, however 15 feet is preferred if the easement includes other utilities, including natural gas.
- Floodplain Administrator: Mark Rocheleau, PE is employed by JVA Consulting Engineers and is the city’s Flood Plain Administrator. He has reviewed the River Ridge and provided a memo stating all of the requirements for development within the flood plain (Attachment 7).
- Salida School District R32J: Shelia Moore, Business Manager for the District stated that fees in lieu of school dedications should be collected with this subdivision. Per our agreement with Chaffee County and the District, the fees have recently been increased to \$444.66 per unit.

**STAFF RECOMMENDATION:**

Staff recommends the City Council approve the application, subject to the changes recommended by the Planning Commission to conditions #8 and the addition of #9. Since the Planning Commission meeting the applicant has resubmitted the plat addressing changes recommended in #3 and #4 as shown below.

**PLANNING COMMISSION RECOMMENDATION:**

The Planning Commission reviewed the major subdivision and held a public hearing on September 23, 2019. They recommended approval subject to the following conditions with changes to #8 and #9 as shown:

1. Make corrections to the improvement plans as outlined by the Public Works Director (Attachment 8) and Floodplain Administrator (Attachment 6); and provide landscape plans for approval prior to recording of the subdivision plat.
2. Floodplain Development Permit is required for any development/grading within the 100 year flood plain and meet the specific standards outlined by the Floodplain Administrator (Attachment 7).
3. Make the following corrections and clarifications to the plat prior to recording:
  - a. The Park site and Alleys shall be owned and maintained by the homeowners association.
  - b. ~~Designate the 15 foot wide trail and river access easement as a “15 foot Public Trail, Drainage and River Access Easement.” The 25 foot wide trail easement along the east side of the Arkansas River shall be “public” as well.~~
  - c. ~~Clarify the differences between the building setbacks for R-3 and R-4 on the subdivision layout. Add a note to the Typical Lot Layout that states detached accessory structures and dwelling units have different setbacks per the Salida Land Use and Development Code.~~

**REQUEST FOR CITY COUNCIL ACTION**

Meeting Date: October 15, 2019

<b>AGENDA ITEM NO.</b> 6.a	<b>ORIGINATING DEPARTMENT:</b> Community Development	<b>PRESENTED BY:</b> Glen Van Nimwegen
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- d. ~~Alleys shall be designated as "Access and Utility Easements."~~
- e. Provide a storm water drainage easement to the east side of Lot 23 to allow storm water to be conveyed to the river.
- f. ~~Delineate 100 year flood zone.~~
- g. Include 10 foot wide public utility easements as recommended by Xcel Energy.
- 4. ~~The design of the project's residences shall meet the requirements of Section 16-6-120 (11) which requires spacing of repetitive building facades.~~
- 5. The Fair Contribution for Public School sites will be \$444.66 per unit.
- 6. Developer shall enter into a subdivision improvement agreement that guarantees the construction of the public improvements that are required for the project, prior to the recording of the subdivision plat.
- 7. The annexation agreement for the north half of the property allows the option to construct Scott Street adjacent to the project or have applicant provide a fee equal to the estimated cost of the street segment for construction at a later date. This determination shall be made by staff prior to completion of roadway construction within the subdivision and be based on the general condition of Scott Street.
- 8. The variance proposed to the street cross section is approved, with the modification that the roadway width within the 60 right of way be ~~36~~ **34** feet.
- 9. **The Homeowner Association documents shall place a priority on installing street trees prior to completion of each home.**

**RECOMMENDED MOTION:**

A Council person should make the motion to "Approve Resolution 2019-50 approving the River Ridge Major Subdivision."

Attachments:

1. Resolution 2019-50
2. River Ridge Major Subdivision
3. Narrative
4. Application
5. Request for Street Cross Section Variance
6. Street Cross Sections
7. Floodplain Administrator Review (September 13, 2019)
8. Public Works Director Review (September 17, 2019)
9. Proof of Publication

**CITY OF SALIDA, COLORADO  
RESOLUTION NO. 50  
(Series 2019)**

**A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO  
APPROVING THE SUBDIVISION PLAT FOR RIVER RIDGE MAJOR SUBDIVISION.**

**WHEREAS**, the property owners, Arkansas Living, LLC (“Developer”) made application for approval of a Major Impact Review for River Ridge Major Subdivision; and

**WHEREAS**, the property (“Property”) that is subject to the proposed subdivision consists of 11.17 acres located at 786 Scott Street more particularly described in Exhibit A; and

**WHEREAS**, the property is zoned R-3, High Density Residential and R-4, Manufactured Housing Residential District; and

**WHEREAS**, the Planning Commission and City Council held a conceptual meeting on the proposed Southside Major Subdivision on June 3, 2019; and

**WHEREAS**, on September 23, 2019 the Salida Planning Commission held a public hearing and recommended approval of the River Ridge Major Subdivision, consisting of 41 lots; and

**WHEREAS**, the Salida City Council held a duly noticed public hearing on October 15, 2019.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council for the City of Salida that:

The River Ridge Major Subdivision is hereby approved, subject to the following conditions:

1. Make corrections to the improvement plans as outlined by the Public Works Director (September 17, 2019) and Floodplain Administrator (September 13, 2019); and provide landscape plans for approval prior to recording of the subdivision plat.
2. Floodplain Development Permit is required for any development/grading within the 100 year flood plain and meet the specific standards outlined by the Floodplain Administrator (September 13, 2019).
3. Make the following corrections and clarifications to the plat prior to recording:
  - a. The Park site and Alleys shall be owned and maintained by the homeowners association.
  - b. Provide a storm water drainage easement to the east side of Lot 23 to allow storm water to be conveyed to the river.

- c. Include 10 foot wide public utility easements as recommended by Xcel Energy.
- 4. The Fair Contribution for Public School sites will be \$444.66 per unit.
- 5. Developer shall enter into a subdivision improvement agreement that guarantees the construction of the public improvements that are required for the project, prior to the recording of the subdivision plat.
- 6. The annexation agreement for the north half of the property allows the option to construct Scott Street adjacent to the project or have applicant provide a fee equal to the estimated cost of the street segment for construction at a later date. This determination shall be made by staff prior to completion of roadway construction within the subdivision and be based on the general condition of Scott Street.
- 7. The variance proposed to the street cross section is approved, with the modification that the roadway width within the 60 right of way be 34 feet.
- 8. The Homeowner Association documents shall place a priority on installing street trees prior to completion of each home.

**RESOLVED, APPROVED AND ADOPTED on this 15th day of October, 2019.**

CITY OF SALIDA, COLORADO

\_\_\_\_\_  
Mayor P.T. Wood

(SEAL)

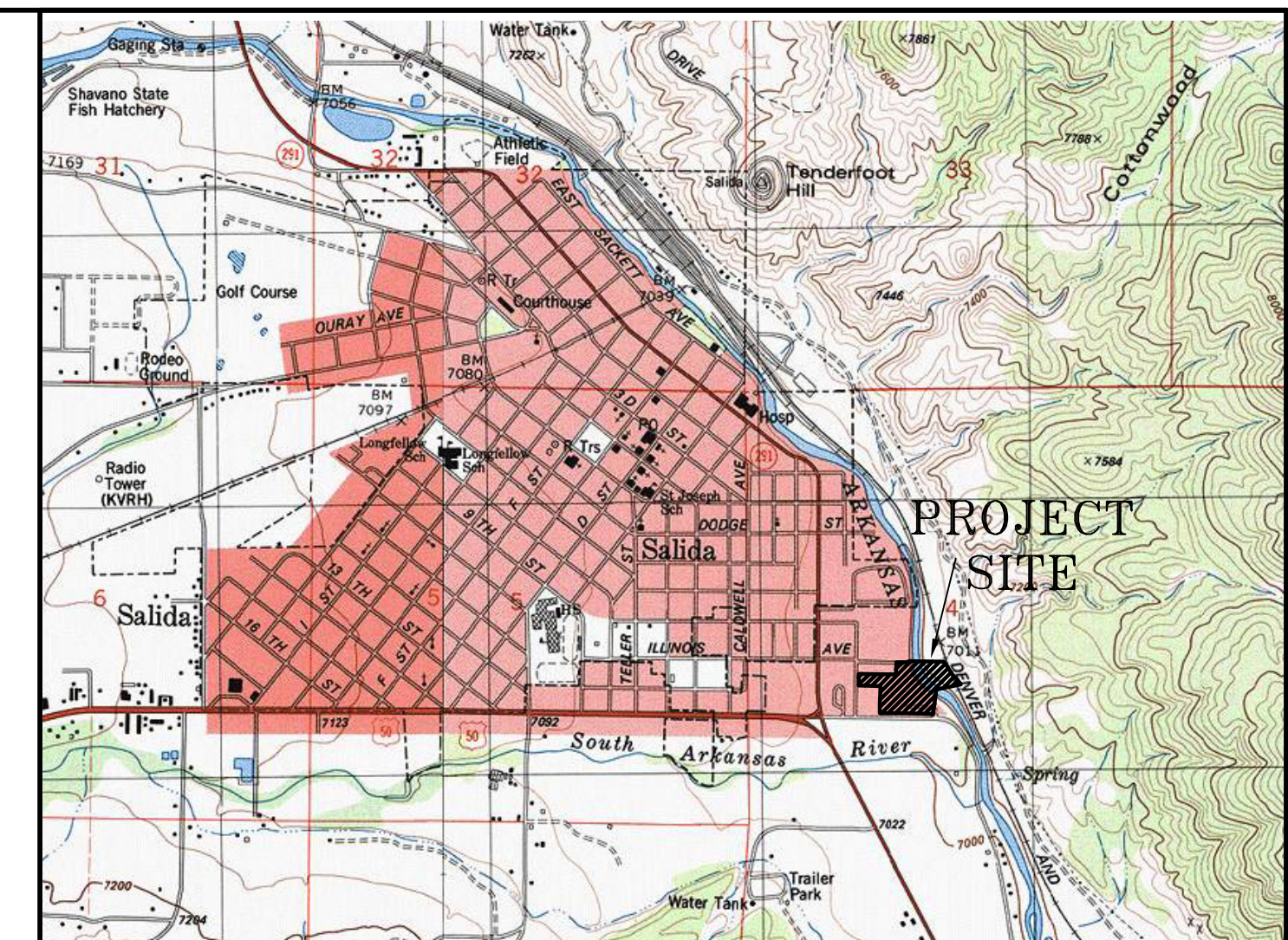
ATTEST:

\_\_\_\_\_  
City Clerk

EXHIBIT A

RIVER RIDGE

LOCATED WITHIN THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 49 NORTH, RANGE 9 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN CITY OF SALIDA CHAFFEE COUNTY, COLORADO



VICINITY MAP NOT TO SCALE

CERTIFICATION OF TITLE

I, \_\_\_\_\_, A LICENSED TITLE INSURANCE AGENT IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT I HAVE EXAMINED THE TITLE TO THE PROPERTY HEREBY DEDICATED AND AS SHOWN AND DESCRIBED ON THIS PLAT AND FOUND TITLE VESTED IN SALIDA RIVER LIVING LLC, FREE AND CLEAR OF ALL LIENS AND ENCUMBRANCES EXCEPT AS LISTED BELOW:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2019.

\_\_\_\_\_  
TITLE AGENT

ACKNOWLEDGMENT OF LIEN HOLDER

ROBERT D. TREAT, AS LIEN HOLDER, HEREBY ACKNOWLEDGES AND APPROVES THE TERMS, CONDITIONS AND DEDICATION AS DISCLOSED UPON THIS PLAT.

ROBERT D. TREAT \_\_\_\_\_ DATE \_\_\_\_\_

ACKNOWLEDGMENT OF LIEN HOLDER

ANDREW JAMES PETERNELL & JAMIE VICTORIA PETERNELL, AS LIEN HOLDERS, HEREBY ACKNOWLEDGES AND APPROVES THE TERMS, CONDITIONS AND DEDICATION AS DISCLOSED UPON THIS PLAT.

ANDREW JAMES PETERNELL \_\_\_\_\_ DATE \_\_\_\_\_

JAMIE VICTORIA PETERNELL \_\_\_\_\_ DATE \_\_\_\_\_

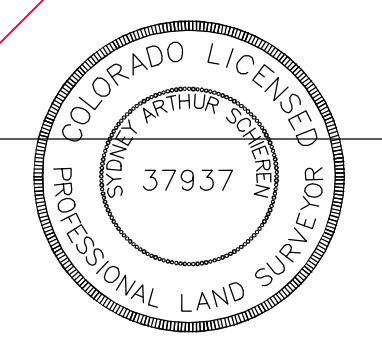
GENERAL NOTES

- 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 NORTHERLY LINE OF SUBJECT PROPERTY, BETWEEN TWO 1 1/2" ALUMINUM CAPS STAMPED LS 16117, HAVING A BEARING OF SOUTH 89°07'49" EAST.
2) OWNER: ARKANSAS RIVER LIVING LLC, 770 CRESCENT LANE, LAKEWOOD, CO 80214
3) SUBDIVIDER: ARKANSAS RIVER LIVING LLC, 770 CRESCENT LANE, LAKEWOOD, CO 80214
4) AS REQUIRED UNDER SECTION 16.6.140 OF THE SALIDA MUNICIPAL CODE, A PAYMENT IN LIEU OF LAND DEDICATION FOR FAIR CONTRIBUTIONS FOR PUBLIC SCHOOL SITES SHALL BE PAID BY THE OWNER OF EACH LOT WITHIN THIS SUBDIVISION PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR ANY NEW RESIDENCE ON SUCH LOT.
5) PER SECTION 16.6.120(1) OF THE SALIDA MUNICIPAL CODE, NO RESIDENTIAL FACADE ELEVATION SHALL BE REPEATED MORE THAN ONCE EVERY FIVE (5) LOTS ON THE SAME SIDE OF THE STREET, NOR SHALL AN ELEVATION BE REPEATED DIRECTLY ACROSS THE STREET FROM THE SAME FACADE ELEVATION. MIRROR IMAGES OF THE SAME RESIDENTIAL FACADE SHALL NOT COUNT AS TWO DISTINCTLY DIFFERENT FACADES.
6) THIS PLAT SUBJECT TO THE TERMS & CONDITIONS AS SET FORTH IN THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS RECORDED AT RECEPTION NO.
7) THE 15' ACCESS & DRAINAGE EASEMENT AND THE 20' TRAIL EASEMENT ARE INTENDED TO FULFILL THE "PARKS, TRAILS & OPEN SPACE DEDICATION REQUIREMENTS" PER SECTION 16.6.120 (8) OF THE SALIDA MUNICIPAL CODE. THESE DEDICATIONS SHALL BE CONSIDERED AN EXTRAORDINARY CONTRIBUTION TO TRAIL AND WATERWAY ACCESS AND THEREFORE THE OPEN SPACE REQUIREMENTS OF SECTION 16.6.120 (8) HAVE BEEN MET.
8) RESIDENTIAL DENSITY OF THAT PORTION OF THE PROPERTY LYING NORTHEAST OF THE CENTERLINE OF THE ARKANSAS RIVER MAY NOT BE TRANSFERRED TO THE PORTION OF THE PROPERTY LYING SOUTHWEST OF THE CENTERLINE OF THE ARKANSAS RIVER.
9) ANY BUILDING TO BE PERMITTED IN THE 100 YEAR FLOOD PLAIN SHALL COMPLY WITH ARTICLE XI, FLOOD CONTROL, OF THE SALIDA MUNICIPAL CODE.
10) ALL OPEN SPACE AREAS, INTERNAL TRAILS, PARKS AND STREET PARKWAYS TO BE IMPROVED BY THE DEVELOPER AND MAINTAINED BY THE H.O.A. OR OTHER DESIGNATED PARTY.
11) RIVER RIDGE IS SUBJECT TO THE SUBDIVISION IMPROVEMENT AGREEMENT AS RECORDED AT RECEPTION NO.
12) RIVER RIDGE IS SUBJECT TO ARTICLE XIII, INCLUSIONARY HOUSING, OF CHAPTER 16 OF THE SALIDA MUNICIPAL CODE.

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.

PRELIMINARY DRAFT INTENDED FOR REVIEW BY CLIENT AND AGENTS ONLY



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

CERTIFICATE OF DEDICATION AND OWNERSHIP

KNOW ALL PERSONS BY THESE PRESENTS THAT ARKANSAS RIVER LIVING LLC, THE FEE OWNER OF THE FOLLOWING DESCRIBED PROPERTY:

A TRACT OF LAND LOCATED IN THE SOUTH HALF OF NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (S 1/2 NE 1/4 SW 1/4) OF SECTION 4, TOWNSHIP 49 NORTH, RANGE 9 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, CITY OF SALIDA, CHAFFEE COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST SIDE LINE OF A LANE OR STREET KNOWN AS SCOTT STREET, FROM WHENCE THE NORTHWEST CORNER OF SAID SUBDIVISION BEARS FIRST NORTH 1.63 FEET; THENCE WEST 37 FEET; THENCE PROCEEDING AROUND THE TRACT HEREIN DESCRIBED, SOUTH 89°24'06" EAST ALONG THE SOUTH BOUNDARY OF PEELS SUBDIVISION A DISTANCE OF 452 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE NORTH 00°31'36" EAST ALONG THE EAST BOUNDARY OF SAID SUBDIVISION A DISTANCE OF 150.0 FEET TO THE SOUTH BOUNDARY OF A LANE; THENCE SOUTH 89°31'00" EAST ALONG THE SOUTH BOUNDARY OF SAID LANE, 154.0 FEET TO THE SOUTHEAST CORNER OF SAID LANE; THENCE NORTH 00°29'00" EAST ALONG THE EAST BOUNDARY OF SAID LANE 13.0 FEET TO A POINT ON THE NORTH BOUNDARY OF THE SAID S 1/2 NE 1/4 SW 1/4; THENCE SOUTH 89°25'50" EAST ALONG SAID NORTH BOUNDARY 425.2 FEET, MORE OR LESS, TO THE WESTERLY BOUNDARY OF THE TRACT OF LAND GRANTED TO THE DENVER AND RIO GRANDE RAILROAD COMPANY IN BOOK 73 AT PAGE 309 OF THE CHAFFEE COUNTY RECORDS; THENCE ALONG THE WESTERLY BOUNDARY OF SAID RAILROAD TRACT, FIRST ALONG THE ARC OF A CURVE A DISTANCE OF 173.91 FEET, SAID CURVE HAVING A RADIUS OF 900.0 FEET AND A CHORD WHICH BEARS SOUTH 34°00'47" EAST 173.64 FEET, AND THENCE SOUTH 39°32'54" EAST 161.36 FEET TO THE EAST BOUNDARY OF THE SAID S 1/2 NE 1/4 SW 1/4; THENCE SOUTH 00°18'00" EAST ALONG SAID EAST BOUNDARY 1.57 FEET; THENCE SOUTH 77°30' WEST 725.59 FEET; THENCE NORTH 75°00'00" WEST 273.35 FEET; THENCE NORTH 00°52'00" EAST 61.82 FEET; THENCE NORTH 89°18'00" WEST 262.30 FEET TO THE EAST BOUNDARY OF SCOTT STREET; THENCE NORTH 00°30'11" EAST 138.45 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH A TRACT OF LAND LOCATED IN THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (S 1/2 NE 1/4 SW 1/4) OF SECTION 4, TOWNSHIP 49 NORTH, RANGE 9 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, CHAFFEE COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE NORTH SIDE OF CHAFFEE COUNTY ROAD NO. 105, FROM WHENCE THE SOUTHEAST CORNER (BRASS CAP) OF SAID SECTION 4 BEARS SOUTH 69°56' EAST 4,117.5 FEET, AND ALSO FROM WHENCE THE HIGHWAY RIGHT-OF-WAY MARKER (BRASS CAP IN CONCRETE) AT STATION 2304+26 OF THE CENTERLINE SURVEY OF U.S. HIGHWAY NO. 50 BEARS NORTH 89°35' WEST 217.9 FEET; THENCE SOUTH 85°01' EAST 44.9 FEET TO A REBAR WITH A 1 1/2-INCH ALUMINUM CAP ON THE NORTH SIDE OF SAID COUNTY ROAD; THENCE SOUTH 89°18' EAST ALONG THE SAID NORTH SIDE OF SAID COUNTY ROAD A DISTANCE OF 262.3 FEET TO THE SOUTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN BOOK 502 AT PAGE 186 OF THE RECORDS OF SAID CHAFFEE COUNTY, BEING THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED;

THENCE PROCEEDING AROUND SAID TRACT NORTH 00°52' EAST ALONG THE EAST BOUNDARY OF SAID TRACT AS DESCRIBED IN BOOK 502 AT PAGE 186 AND A PROJECTION NORTHERLY OF SAID EAST BOUNDARY A TOTAL DISTANCE OF 268.18 FEET; THENCE SOUTH 75°00' EAST 273.30 FEET TO A REBAR WITH A 1 1/2-INCH ALUMINUM CAP AT THE NORTHWEST CORNER OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN BOOK 414 AT PAGE 518 OF SAID COUNTY RECORDS, AS SAID PARCEL IS MONUMENTED; THENCE SOUTH 00°19'14" EAST ALONG THE WEST BOUNDARY OF SAID PARCEL AS MONUMENTED 200.43 FEET TO A REBAR WITH A 1 1/2-INCH ALUMINUM CAP AT THE SOUTHWEST CORNER OF SAID PARCEL AS DESCRIBED IN BOOK 414 AT PAGE 518, SAID POINT BEING ON THE NORTHERLY BOUNDARY OF SAID CHAFFEE COUNTY ROAD NO. 105; THENCE NORTH 89°21'34" WEST ALONG SAID NORTHERLY COUNTY ROAD BOUNDARY 269.18 FEET TO THE POINT OF BEGINNING. CITY OF SALIDA, CHAFFEE COUNTY, COLORADO

TOGETHER WITH A TRACT OF LAND LOCATED IN THE NE 1/4 OF THE SW 1/4 OF SECTION 4, TOWNSHIP 49 NORTH, RANGE 9 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, CHAFFEE COUNTY, COLORADO, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT AT A FENCE CORNER ON THE NORTH SIDE OF A CHAFFEE COUNTY ROAD FROM WHENCE THE SE COR (BRASS CAP) OF SECTION 4 BEARS SOUTH 66°55.4' EAST 3580.6 FEET, SAID BEGINNING POINT, TWO REMAINING TRACT CORNERS, AND TWO WITNESS CORNERS ARE MARKED BY 5/8 INCH REBARS WITH 1 1/2 INCH ALUMINUM CAPS; THENCE PROCEEDING AROUND THE TRACT NORTH 200.0 FEET; THENCE NORTH 77°30' EAST 285.0 FEET TO A WITNESS CORNER; THENCE CONTINUING NORTH 77°30' EAST 144.5 FEET TO A POINT WHICH IS NORTH 8°30.3' WEST OF ANOTHER WITNESS CORNER; THENCE SOUTH 8°30.3' WEST 107.7 FEET TO THE WITNESS CORNER; THENCE CONTINUING SOUTH 8°30.3' WEST 188.5 FEET TO A POINT ON THE NORTH SIDE OF THE SAID CHAFFEE COUNTY ROAD; THENCE WEST ALONG SAID NORTH SIDE AS FENCED 375.5 FEET TO THE POINT OF BEGINNING. CITY OF SALIDA, CHAFFEE COUNTY, COLORADO

HAS LAID-OUT, PLATTED AND SUBDIVIDED THE SAME INTO LOTS, PARCELS OR OUTLOTS, AS SHOWN ON THIS PLAT UNDER THE NAME AND STYLE OF:

RIVER RIDGE  
IN THE  
CITY OF SALIDA  
CHAFFEE COUNTY, COLORADO

AND DO HEREBY DEDICATE TO THE CITY OF SALIDA AS PUBLIC ROADS, THE STREETS AS SHOWN ON SAID PLAT, AND HEREBY DEDICATES TO THE PUBLIC THE 15' PUBLIC TRAIL, DRAINAGE AND RIVER ACCESS EASEMENT AND THE 20' PUBLIC TRAIL EASEMENT AS SHOWN HEREON. THE UNDERSIGNED HEREBY FURTHER DEDICATE TO THE PUBLIC UTILITIES THE RIGHT TO INSTALL, MAINTAIN AND OPERATE MAINS, TRANSMISSION LINES, SERVICE LINES AND APPURTENANCES TO PROVIDE SUCH UTILITY SERVICE WITHIN THIS SUBDIVISION OR PROPERTY CONTIGUOUS THERETO, UNDER, ALONG AND ACROSS PUBLIC ROADS AND UTILITY EASEMENTS AS SHOWN ON THIS PLAT.

EXECUTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2019

\_\_\_\_\_  
BY: TOM MESCH, AS MANAGING MEMBER

COUNTY OF CHAFFEE )  
) SS.  
STATE OF COLORADO )

THE FORGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2019, BY TOM MESCH, AS SALIDA RIVER LIVING LLC MANAGING MEMBER. WITNESS MY HAND AND SEAL.

MY COMMISSION EXPIRES \_\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

CITY COUNCIL APPROVAL

THIS PLAT IS APPROVED FOR FILING AND THE CITY HEREBY ACCEPTS THE DEDICATION OF THE STREETS AND ROADS SHOWN HEREON SUBJECT TO THE 'STREET MAINTENANCE' SET FORTH ABOVE, AND FURTHER ACCEPTS THE DEDICATION OF THE PARK AND EASEMENTS SHOWN HEREON.

SIGNED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2019.  
CITY OF SALIDA

BY: \_\_\_\_\_  
MAYOR

PLANNING COMMISSION APPROVAL

THIS PLAT IS APPROVED BY THE CITY OF SALIDA PLANNING COMMISSION THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2019.

\_\_\_\_\_  
CHAIR OF PLANNING COMMISSION, CITY OF SALIDA

CERTIFICATE OF STREET & UTILITY MAINTENANCE

PUBLIC NOTICE IS HEREBY GIVEN THAT NEITHER THE DEDICATED PUBLIC ROADS NOR THE PUBLIC UTILITIES SHOWN ON THIS PLAT WILL BE MAINTAINED BY THE CITY OF SALIDA UNTIL AND UNLESS THE SUBDIVIDER CONSTRUCTS THE STREETS, ROADS AND UTILITIES IN ACCORDANCE WITH THE SUBDIVISION AGREEMENT AS RECORDED AT RECEPTION NO. \_\_\_\_\_. IF ANY, AND THE SUBDIVISION REGULATIONS IN EFFECT AT THE DATE OF THE RECORDING OF THIS PLAT, AND APPROVAL OF THE CITY HAS BEEN ISSUED TO THAT EFFECT. WHEN THE CITY APPROVES A STREET OR UTILITY FOR MAINTENANCE, THE STREET OR UTILITY SHALL BECOME PUBLIC IN ALL SENSES OF THE WORD AND THE SUBDIVIDER HAS NO FURTHER OBLIGATIONS IN REGARDS TO THAT PARTICULAR STREET OR UTILITY.

CLERK AND RECORDER'S CERTIFICATE

THIS PLAT WAS FILED IN THE OFFICE OF THE CLERK AND RECORDER OF CHAFFEE COUNTY, COLORADO, AT \_\_\_\_\_ M. ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2019 UNDER RECEPTION NUMBER \_\_\_\_\_.

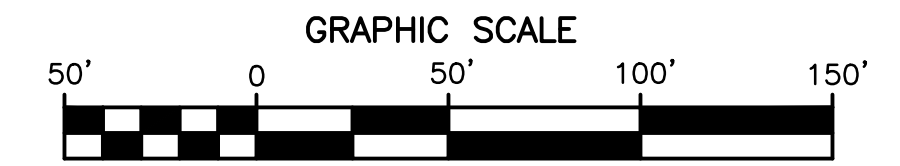
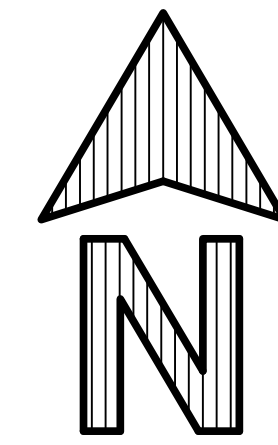
\_\_\_\_\_  
CHAFFEE COUNTY CLERK AND RECORDER

Table with project details: REVISED: SEPTEMBER 23, 2019; RIVER RIDGE; LOCATED WITHIN THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 49 NORTH, RANGE 9 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN CITY OF SALIDA CHAFFEE COUNTY, COLORADO; LANDMARK SURVEYING & MAPPING; P.O. BOX 668 SALIDA, CO 81201; PHONE: 719.539.4021; FAX: 719.539.4031

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.

# RIVER RIDGE

LOCATED WITHIN THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE  
SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 49 NORTH, RANGE 9 EAST  
OF THE NEW MEXICO PRINCIPAL MERIDIAN  
CITY OF SALIDA  
CHAFFEE COUNTY, COLORADO

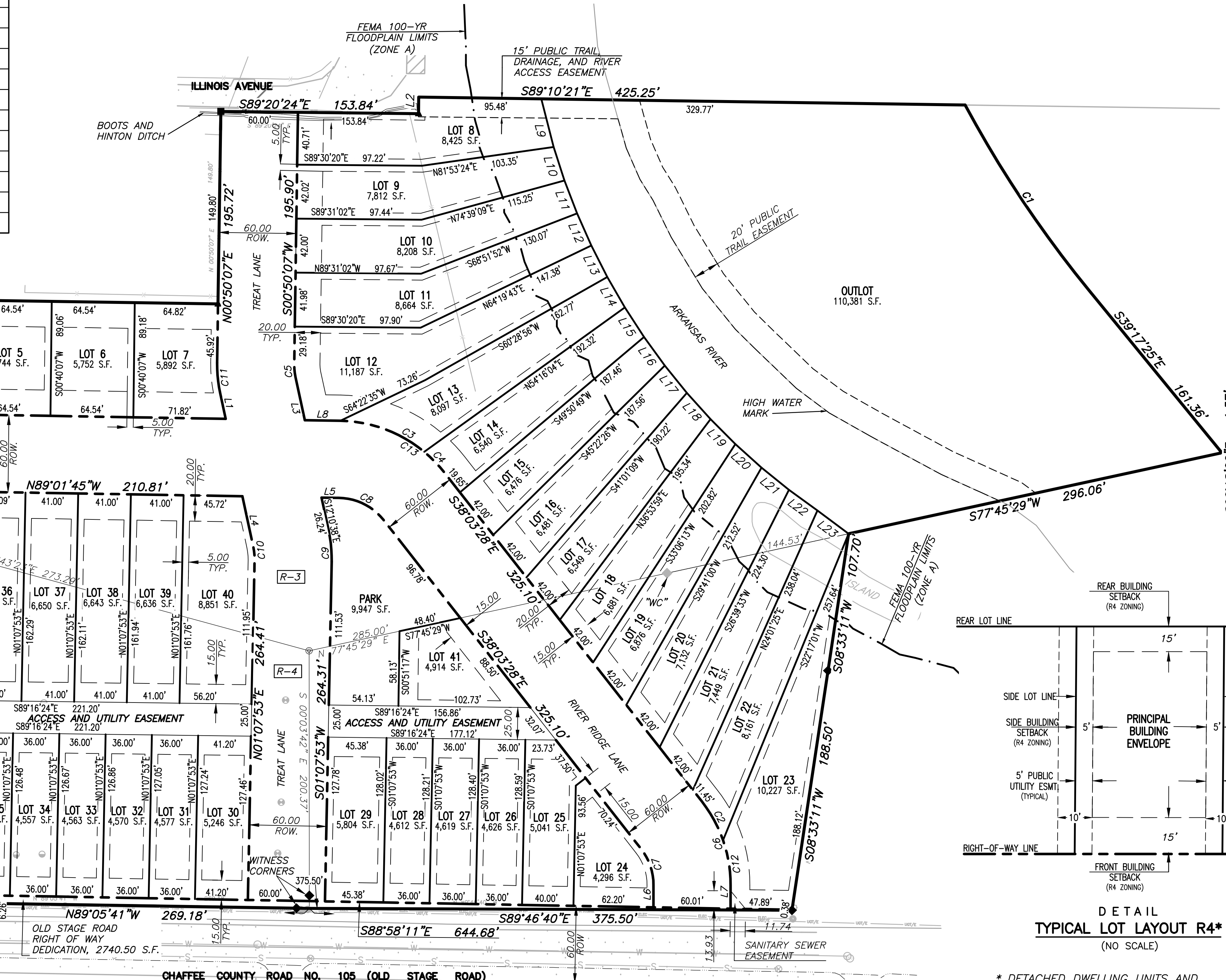
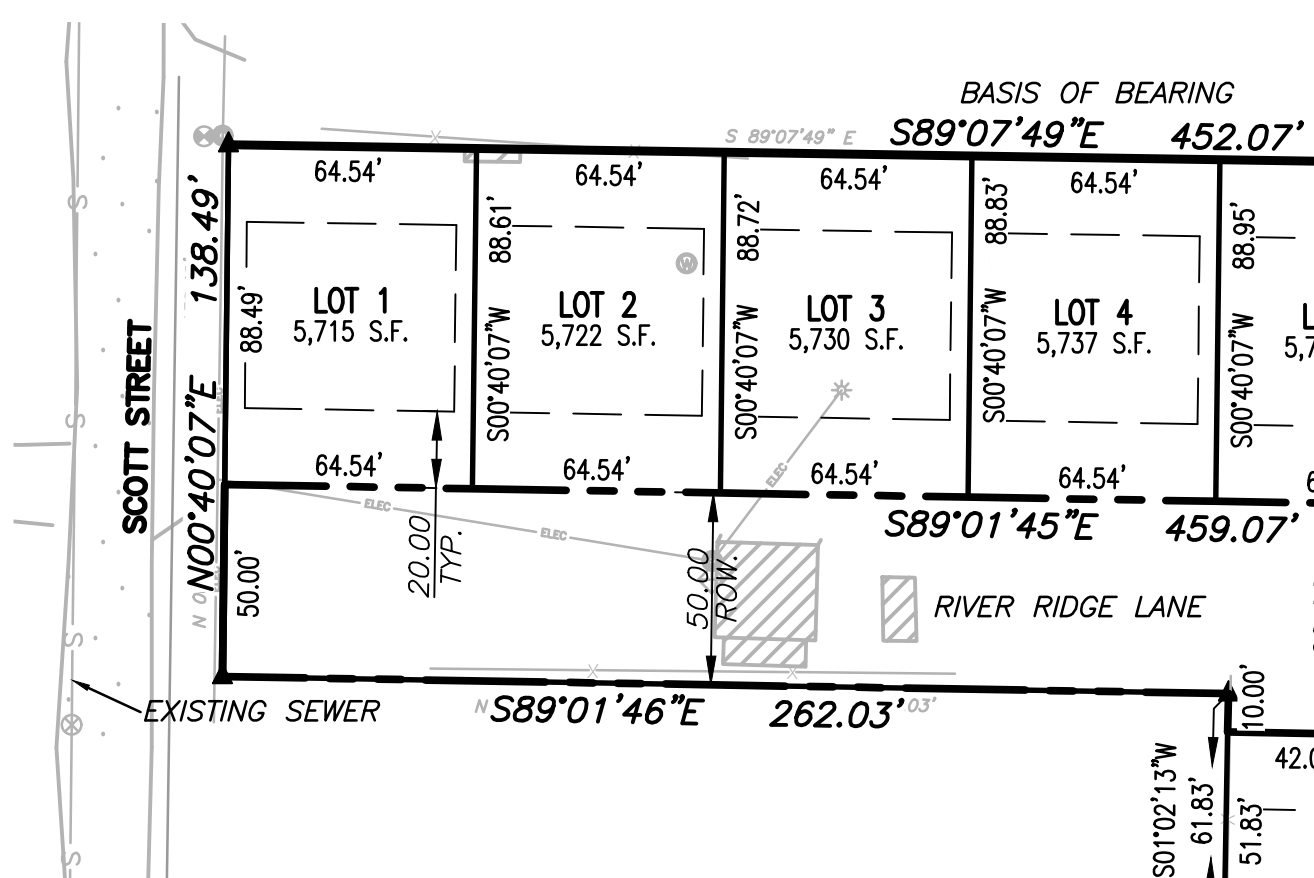


CURVE TABLE					
CURVE #	RADIUS	DELTA	LENGTH	CHORD	CHORD BRNG
C1	900.00	011°04'13"	173.89	173.62	S33°45'19"E
C2	105.00	018°46'44"	34.41	34.26	S28°40'06"E
C3	105.00	038°41'55"	70.92	69.58	S69°40'48"E
C4	105.00	012°16'23"	22.49	22.45	S44°11'39"E
C5	45.00	013°00'45"	10.22	10.20	S05°40'15"E
C6	105.00	038°16'47"	70.15	68.85	S18°55'04"E
C7	45.00	038°16'47"	30.06	29.51	N18°55'04"W
C8	45.00	050°58'18"	40.03	38.73	N63°32'37"W
C9	107.22	013°01'55"	24.39	24.33	S05°31'23"E
C10	45.95	013°01'55"	10.45	10.43	N05°31'23"W
C11	105.00	013°00'45"	23.85	23.80	N05°40'15"W
C12	105.00	019°30'03"	35.74	35.56	S09°31'42"E
C13	105.00	050°58'18"	93.41	90.36	S63°32'37"E

**LEGEND**

- PROJECT BOUNDARY
- EXISTING/ADJACENT RIGHT-OF-WAY
- NEW ROAD RIGHT-OF-WAY
- TOWN BOUNDARY
- NEW LOT LINE
- NEW EASEMENT LINE
- BUILDING SETBACK LINE
- WATER MAIN
- SEWER MAIN
- UTILITY POLE
- UNDERGROUND PHONE
- OVERHEAD ELECTRIC AND PHONE
- GAS MAIN
- FENCE
- WATER VALVE
- SEWER MANHOLE
- COMMUNICATION PEDESTAL
- ELECTRICAL PEDESTAL
- 1 1/2" ALUMINUM CAP STAMPED "LS 17117"
- 1 1/2" ALUMINUM CAP STAMPED "LS 37937"
- 1" ALUMINUM CAP STAMPED "LS 1776"
- CHAIN LINK FENCE POST

	Area (Acres)
Lots	5.92
Outlot	2.53
Park	0.23
Right of Way	2.49
<b>Total</b>	<b>11.17</b>

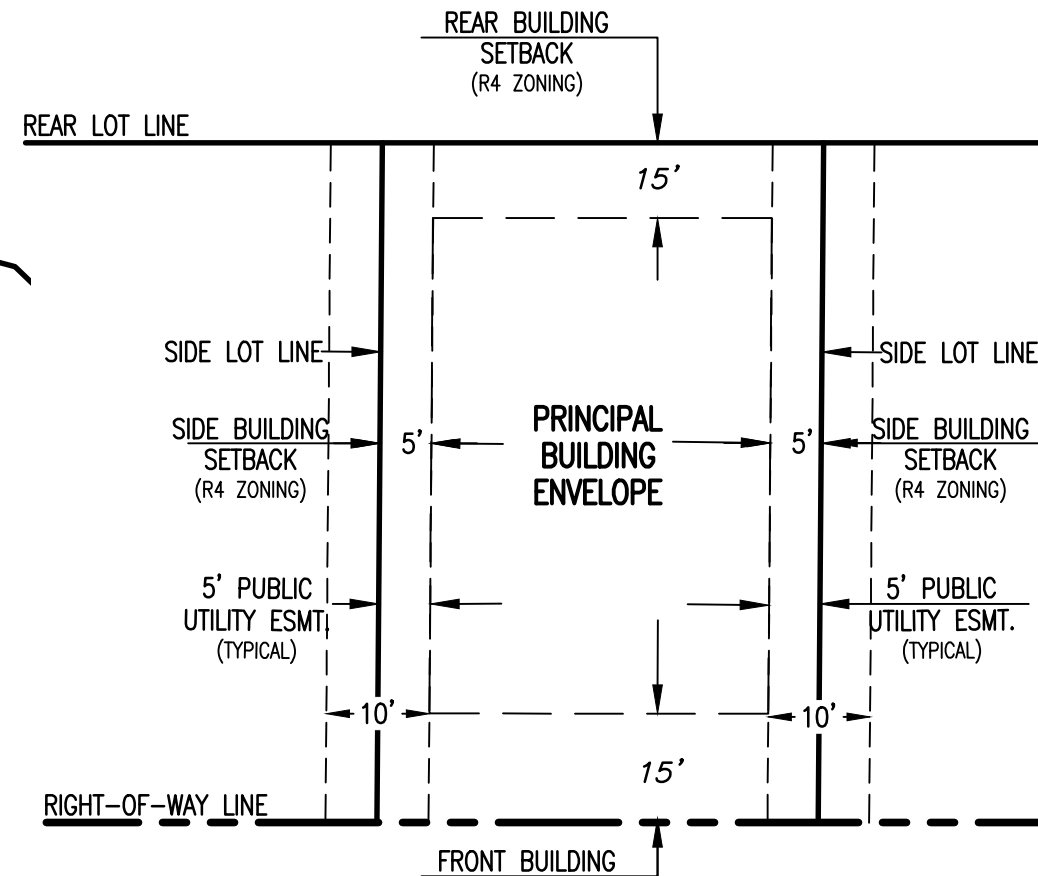


**LINE TABLE**

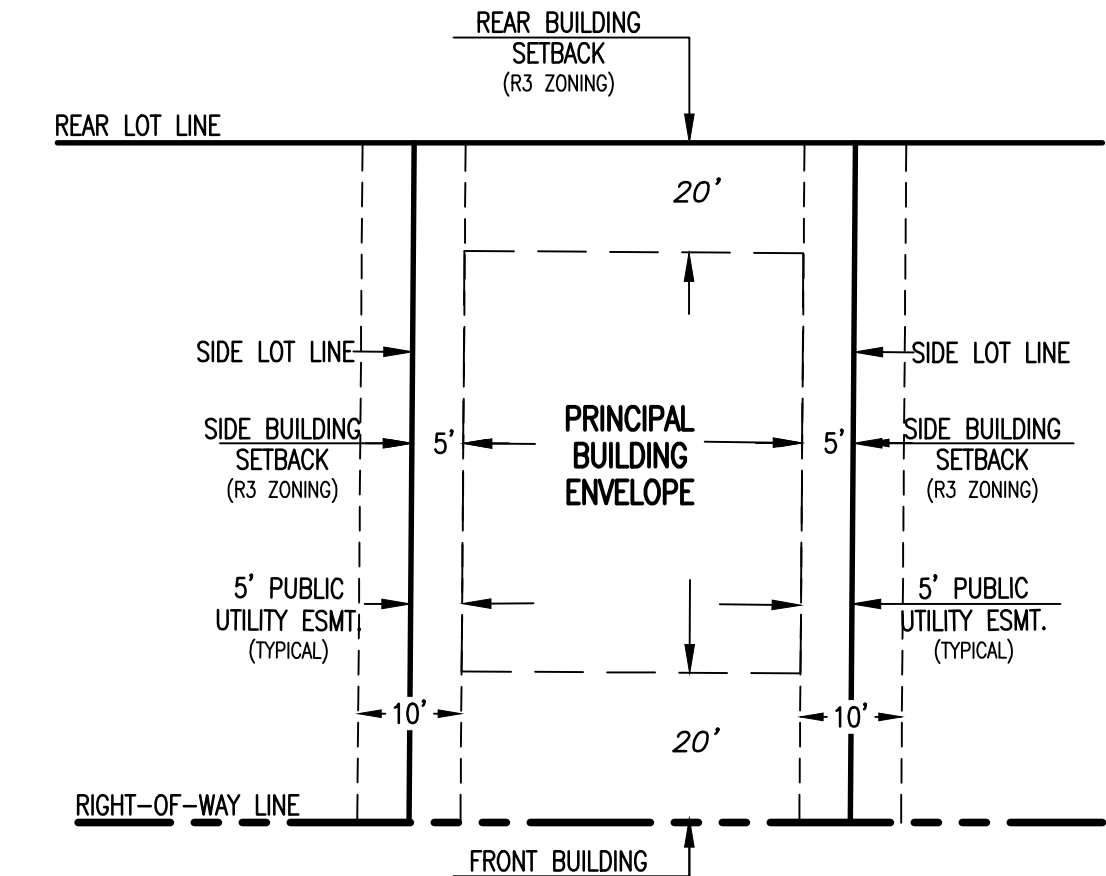
LINE #	LENGTH	BEARING
L1	20.27	N12°10'38"W
L2	12.90	N00°22'53"E
L3	34.28	S12°10'38"E
L4	40.26	N12°10'38"W
L5	13.63	S89°01'45"E
L6	17.35	S00°13'20"W
L7	18.20	S00°13'20"W
L8	27.65	S89°01'45"E
L9	38.61	S14°19'00"E
L10	27.41	S17°56'12"E
L11	27.41	S20°56'32"E
L12	27.41	S23°56'53"E

**LINE TABLE**

LINE #	LENGTH	BEARING
L13	27.41	S26°57'14"E
L14	27.38	S29°57'29"E
L15	27.42	S32°57'45"E
L16	27.42	S35°58'08"E
L17	27.39	S38°58'25"E
L18	27.41	S41°58'47"E
L19	27.41	S44°59'12"E
L20	27.40	S47°59'30"E
L21	27.40	S50°59'47"E
L22	27.39	S54°00'02"E
L23	30.28	S53°17'36"E



**DETAIL  
TYPICAL LOT LAYOUT R4\***  
(NO SCALE)



**DETAIL  
TYPICAL LOT LAYOUT R3\***  
(NO SCALE)

\* DETACHED DWELLING UNITS AND STRUCTURES MAY HAVE LESSER SETBACKS THAN SHOWN. REFER TO SALIDA LAND USE AND DEVELOPMENT CODE.

ASSISTED BY:  
**CRABTREE GROUP INC.**  
ENGINEERING SMART GROWTH™

REVISED:	
JOB #	1974
DATE:	AUGUST 26, 2019
SHEET	2 OF 2

**RIVER RIDGE**

LOCATED WITHIN THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 49 NORTH, RANGE 9 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN CITY OF SALIDA CHAFFEE COUNTY, COLORADO

**LANDMARK SURVEYING & MAPPING**  
P.O. BOX 668 SALIDA, CO 81201  
PH 719.539.4021 FAX 719.539.4031



**REQUEST FOR CITY COUNCIL ACTION**

Meeting Date: August 7, 2018

<b>AGENDA ITEM NO.</b> VI. - 5.	<b>ORIGINATING DEPARTMENT:</b> Community Development	<b>PRESENTED BY:</b> Glen Van Nimwegen
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**ITEM:**

Ordinance No. 2018-12; Second reading and public hearing on proposed zoning for Buckley Meadows Annexation.

**BACKGROUND:**

The applicant made an application to rezone the 2.55 acre site located at 7221 County Road 105 that is subject to annexation to Manufactured Housing Residential District (R-4). The request was heard by the Planning Commission on June 25, 2018 and the Commission recommends the site be zoned to High Density Residential (R-3). On July 3<sup>rd</sup>, the City Council suggested Lot 4 be R-4 and Lots 1-3 be zoned R-3.

**Property Owners and Applicants:** Michael Buckley and Kathryn Meadows.



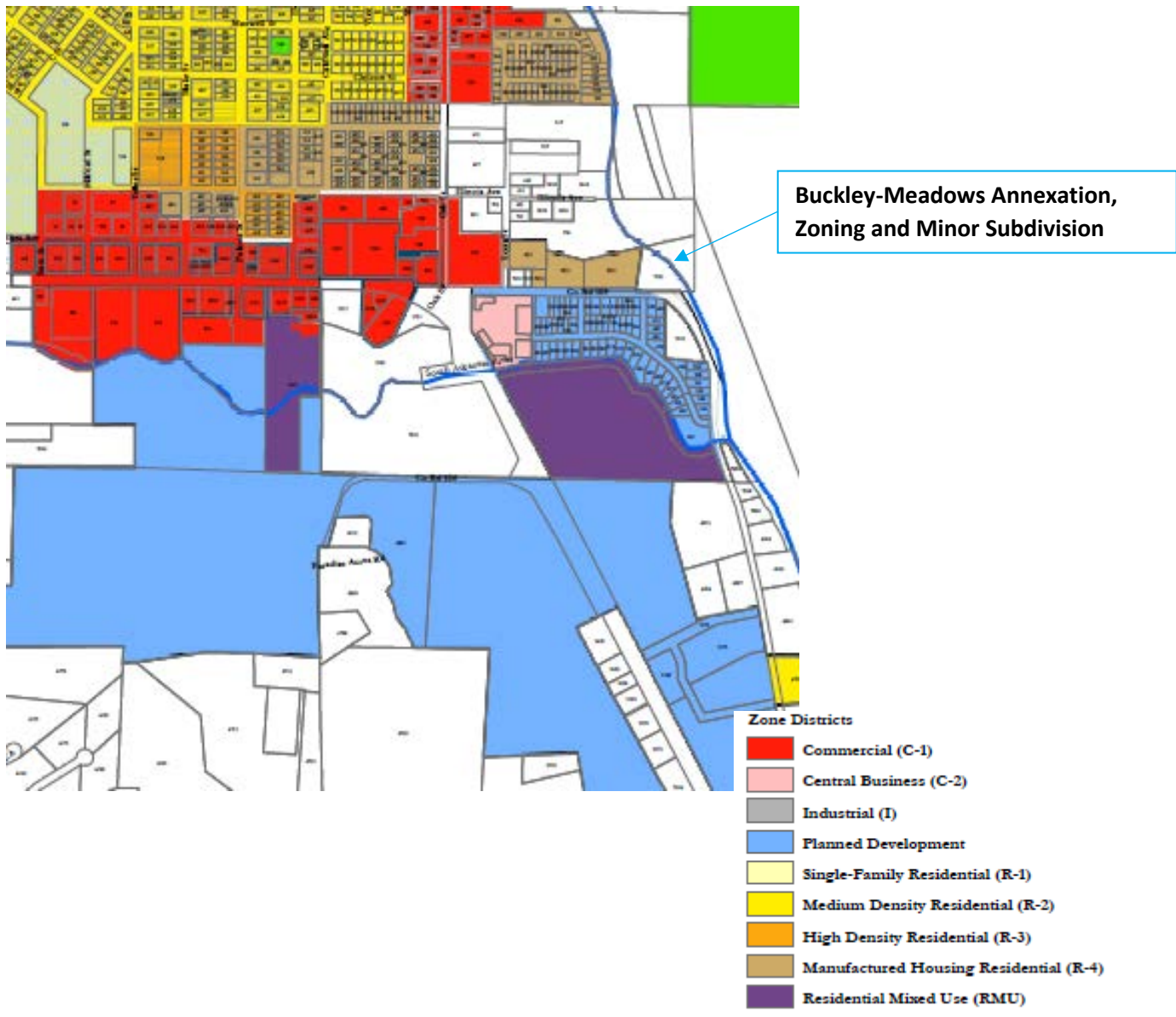


REQUEST FOR CITY COUNCIL ACTION

Meeting Date: August 7, 2018

<b>AGENDA ITEM NO.</b> VI. - 5.	<b>ORIGINATING DEPARTMENT:</b> Community Development	<b>PRESENTED BY:</b> Glen Van Nimwegen
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**Surrounding Land Use and Zoning:** The site to the west is zoned R-4, Manufactured Housing Residential District; South is Planned Development with the underlying districts of R-2, Medium Density Residential and R-3, High Density Residential District. The property adjacent to the site on the north remains in Chaffee County and is zoned RES, Residential Zone District. The land east of the parcel is also in Chaffee County and is zoned REC, Recreational.







REQUEST FOR CITY COUNCIL ACTION

Meeting Date: August 7, 2018

<b>AGENDA ITEM NO.</b> VI. - 5.	<b>ORIGINATING DEPARTMENT:</b> Community Development	<b>PRESENTED BY:</b> Glen Van Nimwegen
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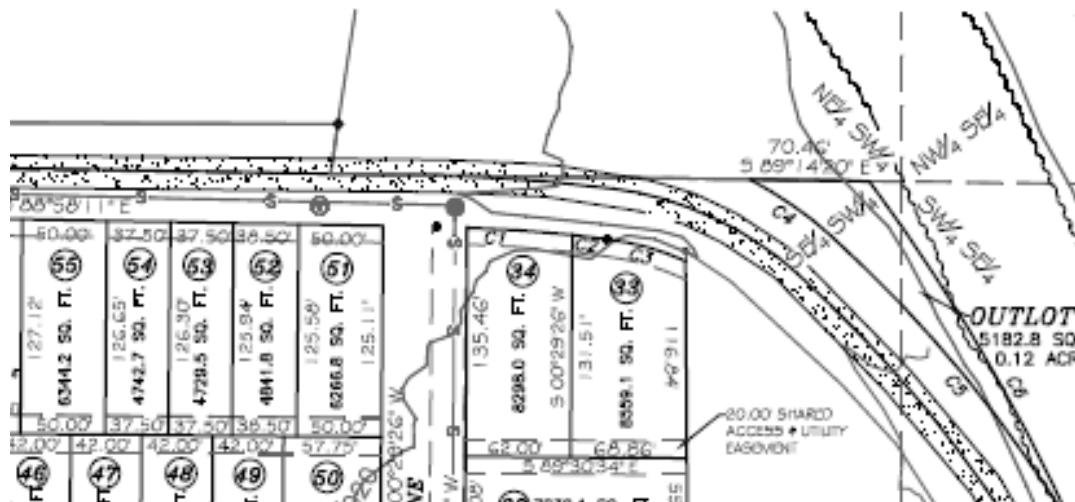
**Proposed Zoning:**

The applicant is requesting R-4 zoning, primarily to take advantage of the five foot reduction in the front and rear setbacks the district affords over the R-3 or R-2 districts. The setbacks are important to the owners as they intend to build a riverfront home on Lot 4, which is over an acre and a half, but three-quarters of the lot is cut-off from road access by the Arkansas River. The other three lots are considerably over the size required by the requested zoning, but the buildable area is reduced by the river. On July 3 the Council suggest Lot 4 be R-4 and Lots 1-3 be zoned R-3.

Though the application and minor subdivision indicates a desire to build four principal homes on the site, the Council should be aware that the allowed density could be as many as 42 homes. However, the physical constraints caused by the river bifurcating the property limits the capacity of the site. Regardless, the R-4 district is consistent with the city zoning on the east and south.

The review standards for a rezoning include:

1. Consistency with the Comprehensive Plan: The Comprehensive Plan includes the goals that new projects should complement the neighborhood’s mass and scale and be focused within the Municipal Services Area. The proposal supports these goals.
2. Consistency with the Purpose of the Zone District: The purpose of the R-4 district is to provide “...relatively high density manufactured housing, mobile home residences and mobile home parks.” Though this is not the intent of the owners, historically this has been the primary use in the area.
3. Compatibility with Surrounding Zone District and Uses: The R-4 district is the dominant zoning classification on the north side of Old Stage Road. On the south side, lots 33 and 34 of the Two Rivers PD are zoned R-2, however the planned development allowed the front setback be reduced to 10 feet, five feet less than the R-4 district. Lot 51 of Two Rivers is also across the street from the subject site, has the underlying zoning of R-3 and also has a reduced front setback of 10 feet.





**REQUEST FOR CITY COUNCIL ACTION**

Meeting Date: August 7, 2018

<b>AGENDA ITEM NO.</b> VI. - 5.	<b>ORIGINATING DEPARTMENT:</b> Community Development	<b>PRESENTED BY:</b> Glen Van Nimwegen
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**RESPONSE FROM REFERRAL DEPARTMENTS AND AGENCIES:**

- Salida Fire Department: Doug Bess, Fire Chief, responded “If water line is extended to the east property line, a fire hydrant shall be installed.”
- Salida Police Department: Lieutenant Russ Johnson responded “I have reviewed the plans that have been submitted and have no concerns at this time. However, I would request that the property on the east side of the river be marked because we have an issue with homeless camps in the area. This would allow us to determine venue for enforcing any issues that may arise.”
- Chaffee County Planning Department: Jon Roorda, Planning Manager stated “CR 105 should be dedicated 30 feet from center of road. City to assume road maintenance.”
- Salida Public Works Department: Public Works Director David Lady stated: “Complete road improvements adjacent to the site to match cross section on the south side of the road, including paving, curb, gutter and sidewalk to a point even with the east property line of Lot 33 in Two Rivers Subdivision Phase 1.”

**STAFF RECOMMENDATION:**

Staff recommends approval to rezone Lots 1-3 of the site to High Density Residential (R-3) and Lot 4 to Manufactured Housing Residential District.

**PLANNING COMMISSION RECOMMENDATION:**

The Planning Commission held a public hearing on June 25, 2018 to take public testimony and make a recommendation to the City Council. The Commission voted 7-0 to recommend that Council approve the rezoning to High Density Residential (R-3).

**SUGGESTED MOTION:**

A council person should make the motion to “approve Ordinance 2018-12.”

**Attachments:**

Ordinance No. 2018-12

Application

**CITY OF SALIDA, COLORADO  
ORDINANCE NO. 12  
SERIES OF 2018**

**AN ORDINANCE OF THE CITY OF SALIDA, COLORADO, ZONING CERTAIN REAL PROPERTY KNOWN AS THE BUCKLEY-MEADOWS ANNEXATION AS HIGH DENSITY RESIDENTIAL (R-3) ZONE AND MANUFACTURED HOUSING RESIDENTIAL (R-4) ZONE DISTRICTS**

WHEREAS, April 16, 2018, Michael Buckley and Kathryn Meadows (“Petitioners”), filed a General Development Application to commence proceedings to annex to the City of Salida (the “City”) a certain unincorporated tract of land comprised of 2.55 acres located at 7221 County Road 105, Salida, County of Chaffee, State of Colorado (the “Property”), and being more particularly described on Exhibit A, attached hereto and incorporated herein by this reference; and

WHEREAS, by Ordinance No. 11, Series of 2018 the City of Salida annexed the Buckley-Meadows Annexation to the City; and

WHEREAS, Petitioner has filed an application to zone the Property within the Manufactured Housing Residential District (R-4), and on June 25, 2018 the City of Salida Planning Commission considered the zoning application for the Property and recommended that the City Council zone it as High Density Residential District (R-3); and

WHEREAS, at the first reading of Ordinance No 2018-12 held on July 3, 2018, the City Council recommended the site be zoned as a combination of R-3 and R-4; and

WHEREAS, as required by the Salida Municipal Code, the public hearing on the zoning application for the Buckley-Meadows Annexation was held on August 7, 2018 at a regularly scheduled meeting of the Salida City Council.

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 as Lots 1-3 on Exhibit A is hereby zoned High Density Residential (R-3); and the Property described as Lot 4 on Exhibit A is hereby zoned Manufactured Housing Residential District (R-4).
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 3, 2018, 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 \_\_\_\_\_, 2018 and set for second reading and public hearing on the 7th day of August, 2018.

INTRODUCED ON SECOND READING, FINALLY ADOPTED and ORDERED PUBLISHED IN FULL, by the City Council on the 7th day of August, 2018.

CITY OF SALIDA, COLORADO

\_\_\_\_\_  
P.T. Wood, Mayor

[SEAL]

ATTEST:

\_\_\_\_\_  
City Clerk/Deputy Clerk

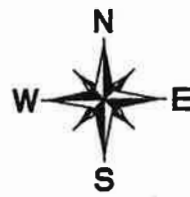
PUBLISHED IN FULL in the Mountain Mail after First Reading on the \_\_\_\_ day of \_\_\_\_\_, 2018, and BY TITLE ONLY, after final adoption on the \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
City Clerk/Deputy City Clerk

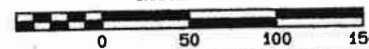
# EXHIBIT A

## GEODESIA MINOR SUBDIVISION

FOR A TRACT IN THE  
NE1/4 SW1/4 OF SEC. 4, T 49 N, R 9 E, N.M.P.M.  
CHAFFEE COUNTY, COLORADO



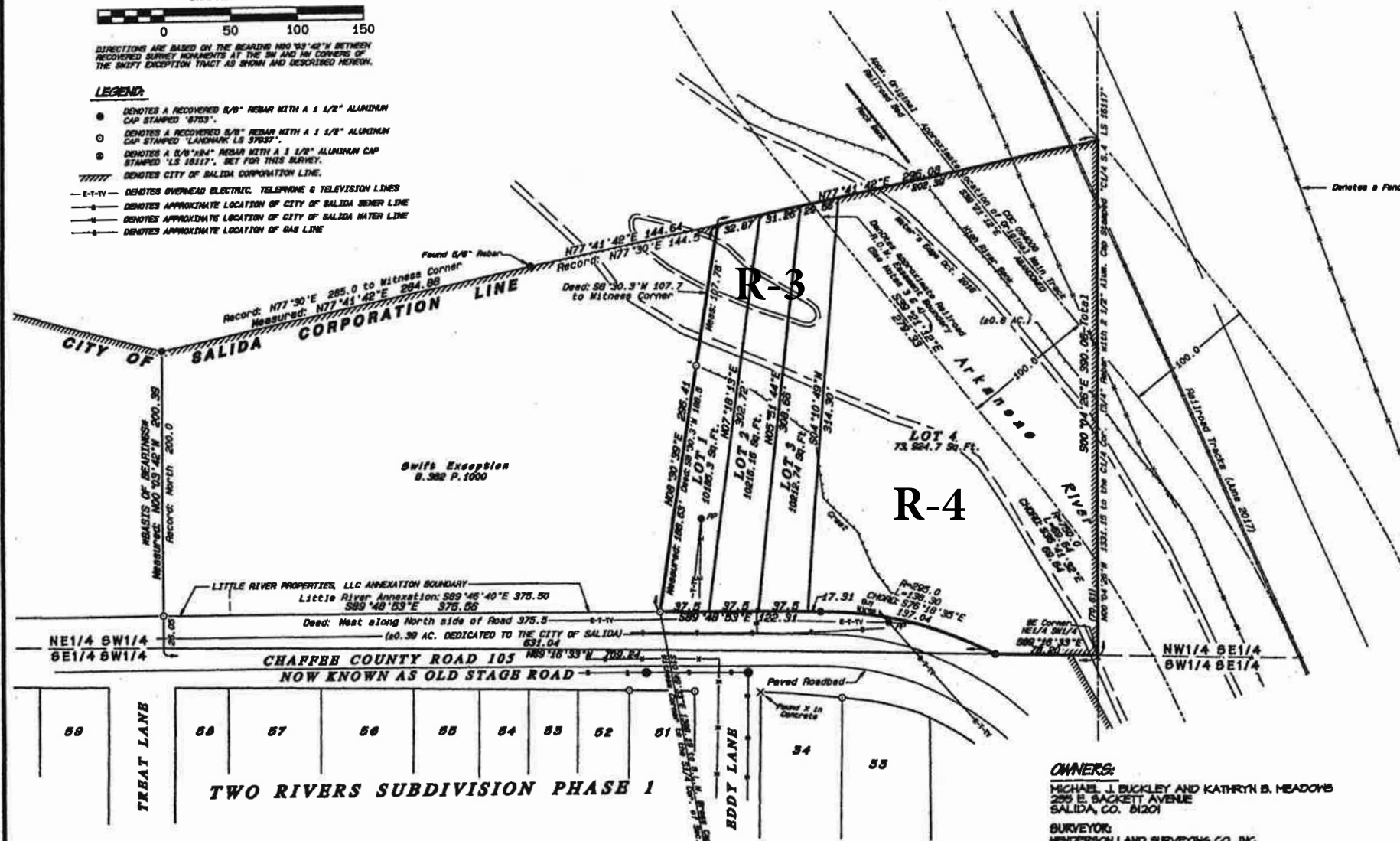
GRAPHIC SCALE 1"=50'



DIRECTIONS ARE BASED ON THE BEARING AND DISTANCE BETWEEN RECOVERED SURVEY MONUMENTS AT THE SW AND NW CORNERS OF THE SWIFT DESCRIPTION TRACT AS SHOWN AND DESCRIBED HEREON.

### LEGEND:

- DENOTES A RECOVERED 5/8" REBAR WITH A 1/2" ALUMINUM CAP STAMPED "7833".
- DENOTES A RECOVERED 5/8" REBAR WITH A 1/2" ALUMINUM CAP STAMPED "LANDMARK LS 3783".
- DENOTES A 5/8" REBAR WITH A 1/2" ALUMINUM CAP STAMPED "LS 18117", SET FOR THIS SURVEY.
- DENOTES CITY OF SALIDA CORPORATION LINE.
- E-T-V--- DENOTES OVERHEAD ELECTRIC, TELEPHONE & TELEVISION LINES.
- DENOTES APPROXIMATE LOCATION OF CITY OF SALIDA BINDER LINE.
- DENOTES APPROXIMATE LOCATION OF CITY OF SALIDA WATER LINE.
- DENOTES APPROXIMATE LOCATION OF GAS LINE.



**CERTIFICATE OF DEDICATION AND OWNERSHIP:**  
KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED, BEING ALL OF THE OWNERS, MORTGAGEE AND LIEN HOLDERS OF CERTAIN LAND IN THE CITY OF SALIDA, CHAFFEE COUNTY, COLORADO, DESCRIBED AS FOLLOWS:  
Part of the South Half of the Northeast Quarter of the Southwest Quarter (SW/2 NE1/4 SW1/4) of Section 4, Township 49 North, Range 9 East of the New Mexico Principal Meridian, Chaffee County, Colorado, within the following described boundary lines:  
Beginning at a point in the south line of said subdivision 555 feet East of the southwest corner of the NE1/2, SW1/4, of Section 4, Township 49 North, Range 9 East of the New Mexico Principal Meridian thence North 22.43 feet;  
thence North 71°50' East 505.4 feet to the east line of said subdivision;  
thence South 248.0 feet to the southeast corner of said subdivision thence West 787 feet along the south line of said subdivision to the point of beginning.  
TOGETHER WITH all water rights granted or to be granted to said above described property, and the rights they have by virtue of that Warranty Deed recorded in Book 252 at Page 496 and in Correction Deed recorded in Book 268 at Page 191 of the Chaffee County Records.  
SUBJECT TO all easements of record.  
LESS THE FOLLOWING DESCRIBED PARCEL, which was conveyed to Kevin Swift on or about January 18, 1978:  
Beginning at a point at a fence corner on the north side of a Chaffee County Road from whence the southeast corner (brass cap) of Section 4 bears South 66°55.4' East 250.0 feet, said beginning point, two remaining tract corners, and two witness corners are marked by 5/8 inch rebars with 1/2" aluminum caps;  
thence proceeding around the tract: North 200.0 feet; thence North 71°50' East 255.0 feet to a witness corner;  
thence continuing North 71°50' East 144.5 feet to a point which is North 8°50.5' West of another witness corner;  
thence South 8°50.5' West 107.7 feet to the witness corner; thence continuing South 8°50.5' West 168.5 feet to a point on the north side of the said Chaffee County Road; thence West along said north road side as fenced 375.5 feet to the point of beginning.  
BEING MORE ACCURATELY DESCRIBED AS:  
A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE1/4 SW1/4) OF SECTION 4, TOWNSHIP 49 NORTH, RANGE 9 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, CHAFFEE COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT A 5/8" REBAR WITH A 1/2" ALUMINUM CAP AT THE SOUTHWEST CORNER OF THE TRACT CONVEYED TO KEVIN SWIFT IN BOOK 582 AT PAGE 1000, FROM WHENCE THE WITNESS CORNER (B.L.M. BRASS CAP) TO THE SOUTH 1/4 CORNER OF SAID SECTION 4 BEARS SOUTH 10°41'55" EAST 1868.14 FEET;  
THENCE PROCEEDING AROUND SAID TRACT, NORTH 00°50'24" EAST ALONG THE EAST BOUNDARY OF SAID SWIFT TRACT 100.00 FEET TO A 5/8" REBAR WITH A 1/2" ALUMINUM CAP WITNESS CORNER;  
THENCE CONTINUING NORTH 00°50'24" EAST 107.78 TO THE NORTHEAST CORNER OF SAID SWIFT TRACT, FROM WHENCE A 5/8" REBAR WITNESS CORNER ON THE NORTH BOUNDARY OF SAID SWIFT TRACT BEARS SOUTH 71°41'42" WEST 144.84 FEET; THENCE NORTH 71°41'42" EAST 246.06 FEET TO THE EAST BOUNDARY OF THE SAID NE1/4 SW1/4;  
THENCE SOUTH 00°04'26" EAST ALONG SAID EAST BOUNDARY 240.06 FEET TO THE SOUTHWEST CORNER OF THE SAID NE1/4 SW1/4;  
THENCE NORTH 84°16'58" WEST ALONG THE SOUTH BOUNDARY OF SAID NE1/4 SW1/4 A DISTANCE OF 104.24 FEET TO A POINT WHICH IS SOUTH 00°05'42" EAST FROM A 5/8" REBAR WITH A 1/2" ALUMINUM CAP AT THE SOUTHWEST CORNER OF SAID SWIFT TRACT; THENCE NORTH 00°05'42" WEST 26.05 FEET TO SAID REBAR AND CAP;  
THENCE SOUTH 84°40'59" EAST ALONG THE SOUTH BOUNDARY OF SAID SWIFT TRACT, BEING DESCRIBED AS THE NORTH BOUNDARY OF A ROAD, A DISTANCE OF 375.56 FEET TO THE POINT OF BEGINNING.  
SUBJECT TO THE RIGHT-OF-WAY FOR CHAFFEE COUNTY ROAD NO. 105, NOW KNOWN AS OLD STAGE ROAD.  
DO HEREBY LAY-OUT, PLAT AND SUBDIVIDE THE ABOVE DESCRIBED PROPERTY INTO FOUR (4) LOTS, WITH DISTANCES AND DIRECTIONS, AS SHOWN ON THIS PLAT, TO BE KNOWN AS:

LOT 1, LOT 2, LOT 3 AND LOT 4  
GEODESIA MINOR SUBDIVISION  
IN THE CITY OF SALIDA  
CHAFFEE COUNTY, COLORADO

AND THAT PORTION (40.291 ACRES) OF THE PROPERTY LOCATED WITHIN THE RIGHT-OF-WAY FOR CHAFFEE COUNTY ROAD NO. 105, NOW KNOWN AS OLD STAGE ROAD IS HEREBY DEDICATED TO THE CITY OF SALIDA AND TO THE PUBLIC FOR PUBLIC ROAD RIGHT-OF-WAY.  
AND LOT 4 IS SUBJECT TO THE RIGHTS OF THE UNION PACIFIC RAILROAD TO OPERATE, MAINTAIN, INSPECT AND REPAIR ITS RAILROAD TRACKS LOCATED WITHIN THE ORIGINAL 200.0 FOOT WIDE RAILROAD EASEMENT.

**ACKNOWLEDGEMENT:**  
IN WITNESS WHEREOF, THE UNDERSIGNED HAVE CAUSED THESE PRESENTS TO BE EXECUTED ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.

\_\_\_\_\_  
MICHAEL J. BUCKLEY  
STATE OF COLORADO | 86  
COUNTY OF CHAFFEE

\_\_\_\_\_  
KATHRYN B. MEADOWS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.

\_\_\_\_\_  
NOTARY PUBLIC  
ADDRESS

**CERTIFICATE OF TITLE INSURANCE COMPANY:**  
I, JAMES L. TREAT, A LICENSED TITLE INSURANCE AGENT REPRESENTING STEWART TITLE GUARANTY COMPANY IN THE STATE OF COLORADO DO CERTIFY THAT I HAVE EXAMINED THE TITLE TO THE REAL PROPERTY SHOWN AND DESCRIBED ON THIS PLAT AND FOUND TITLE VESTED IN MICHAEL J. BUCKLEY AND KATHRYN B. MEADOWS FREE AND CLEAR OF ALL LIENS AND ENCUMBRANCES, EXCEPT:  
\_\_\_\_\_  
JAMES L. TREAT

**LAND SURVEYOR'S STATEMENT:**  
I, MICHAEL K. HENDERSON, A REGISTERED LAND SURVEYOR LICENSED TO PRACTICE IN THE STATE OF COLORADO DO HEREBY STATE THAT THIS PLAT WAS PREPARED BY ME AND/OR UNDER MY DIRECT SUPERVISION, AND IS BASED ON A MONUMENTED LAND SURVEY OF THE PROPERTY AND LOTS SHOWN AND DESCRIBED HEREIN, WHICH SURVEY WAS PERFORMED UNDER MY RESPONSIBLE CHARGE, AND THAT SAID PLAT AND SURVEY ARE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.  
DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.

\_\_\_\_\_  
MICHAEL K. HENDERSON  
REG. L.S. NO. 18117  
STATE OF COLORADO

**CITY OF SALIDA PLANNING COMMISSION APPROVAL:**  
THIS PLAT IS APPROVED BY THE CITY OF SALIDA PLANNING COMMISSION ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.

\_\_\_\_\_  
CHAIRMAN

**CITY ADMINISTRATOR APPROVAL:**  
THIS PLAT IS APPROVED BY THE SALIDA CITY ADMINISTRATOR ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.

\_\_\_\_\_  
CITY ADMINISTRATOR, CITY OF SALIDA

**CLERK AND RECORDER'S CERTIFICATE:**  
THIS PLAT WAS FILED IN THE OFFICE OF THE CLERK AND RECORDER OF CHAFFEE COUNTY, COLORADO, AT \_\_\_\_\_ M., ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2018.  
RECEPTION NO. \_\_\_\_\_

\_\_\_\_\_  
CHAFFEE COUNTY CLERK & RECORDER

**GENERAL LAND SURVEYOR'S NOTES:**  
1) RECORD PROPERTY DESCRIPTION AND RECORD EASEMENT RESEARCH BASED ON STEWART TITLE GUARANTY COMPANY TITLE POLICY 0-0000-652041950 ISSUED BY CHAFFEE TITLE & ESCROW AS FILE NO. 201814 DATED DECEMBER 8, 2011, MORE ACCURATELY DESCRIBED AS PROPERTY DESCRIPTION WAS PREPARED BY MICHAEL K. HENDERSON, 209 S STREET, SALIDA, CO 81201 AND IS BASED ON THE RESULTS OF THIS SURVEY.  
2) DEED LINES ARE BASED ON AFORESAID PROPERTY DESCRIPTIONS, AND ON THE LOCATIONS OF THE RECOVERED SURVEY MONUMENTS SHOWN AND/OR DESCRIBED HEREON.  
3) THE 200 FOOT WIDE RAILROAD RIGHT-OF-WAY EASEMENT WAS GRANTED BY THE RAILROAD ACT OF 1875, IN BRANDT TRUST V. UNITED STATES, U.S. 154 S. Ct. 1251, 156 L.Ed.2d 272 (2014), THE U.S. SUPREME COURT HELD THAT RIGHTS-OF-WAY GRANTED BY THE U.S. GOVERNMENT UNDER THE GENERAL RAILROAD ACT OF 1875 CONSTITUTED EASEMENTS, AND NOT REVERSIONARY INTERESTS HELD BY THE U.S. GOVERNMENT. THE ORIGINAL NARROW GAUGE LINE CENTERED IN THE 200 FOOT RIGHT-OF-WAY WAS ABANDONED AND THE RAILROAD BED AND TRACKS WERE MOVED TO THE LOCATION AS SHOWN HEREON.  
4) RAILROAD RIGHT-OF-WAY AND TRACK MAPS SHOW THE WESTERLY BOUNDARY OF THE 200 FOOT RIGHT-OF-WAY TO BE LOCATED WITHIN THE ARKANSAS RIVER.

NOTICE: ACCORDING TO COLORADO LAW, YOU MUST SIGN OFF ON ANY ACTION BASED UPON AN OFFICE OR FIELD SURVEY. THIS PLAT IS THE PROPERTY OF HENDERSON LAND SURVEYING CO., INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF HENDERSON LAND SURVEYING CO., INC. THE COPYRIGHTED WORK IS THE PROPERTY OF HENDERSON LAND SURVEYING CO., INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF HENDERSON LAND SURVEYING CO., INC.

<b>GEODESIA MINOR SUBDIVISION</b> FOR TRACT IN NE1/4 SW1/4 OF SECTION 4, T 49 N, R 9 E, N.M.P.M. COLORADO	
CHAFFEE COUNTY JOB NUMBER: J-18-049 TPC FILE: J-18-203 DRAWN BY: THO DUD R.S.H.	HENDERSON LAND SURVEYING CO., INC. 209 S STREET SALIDA, COLORADO DATE: 3/21/18 DRAWING NO.: L-18-19
CHECKED: [Signature] 3/21/18	DRAWING NO.: L-18-19

**PLANNING COMMISSION STAFF REPORT**

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**MEETING DATE:** June 25, 2018

**AGENDA ITEM TITLE:** 2. Recommendation on Proposed Annexation and Zoning; Approval of Minor Subdivision – Buckley-Meadows

**AGENDA SECTION:** Public Hearing

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**REQUEST / BACKGROUND:**

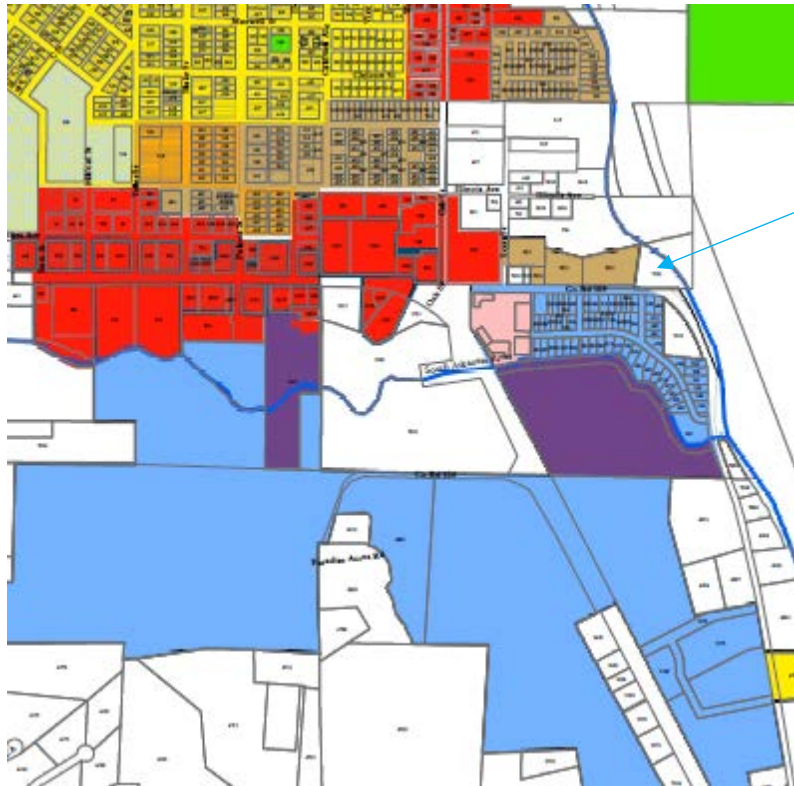
The applicant is requesting the following actions regarding 2.55 acres located at 7221 County Road 105:

- A. Recommendation of approval for the proposed annexation and rezoning of the site to R-4, Manufactured Housing Residential District; and
- B. Approval of the Geodesia Minor Subdivision.

**Applicants:** Michael Buckley and Kathryn Meadows.



**Surrounding Land Use and Zoning:** The site to the west is zoned R-4, Manufactured Housing Residential District; South is Planned Development with the underlying districts of R-2, Medium Density Residential and R-3, High Density Residential District. The property adjacent to the site on the north remains in Chaffee County and is zoned RES, Residential Zone District. The land east of the parcel is also in Chaffee County and is zoned REC, Recreational.



**Buckley-Meadows Annexation, Zoning and Minor Subdivision**

- Zone Districts**
- Commercial (C-1)
  - Central Business (C-2)
  - Industrial (I)
  - Planned Development
  - Single-Family Residential (R-1)
  - Medium Density Residential (R-2)
  - High Density Residential (R-3)
  - Manufactured Housing Residential (R-4)
  - Residential Mixed Use (RMU)

**ANNEXATION AND ZONING:**

An application for annexation is a multi-step process. The application has been accepted by the City Council and scheduled for a public hearing on July 3, 2018. The annexation shall be considered by the Commission as a required step prior to the zoning and subdivision of the property. The following findings of facts are required for annexation:

1. The proposed annexation has greater than 1/6<sup>th</sup> contiguity with the municipal boundary of the City of Salida.
2. The annexation property is under single ownership and the owners are a party to the annexation.
3. The annexation property is currently zoned RES, Residential and REC, Recreational in Chaffee County.
4. The annexation property is within the Municipal Services Area of the City of Salida as defined in the Comprehensive Plan and intergovernmental agreement with Chaffee County and therefore can be served by City sewer and water utilities.
5. The property is adjacent to a burgeoning part of the city and therefore may be efficiently served by City fire and police departments.
6. The property is a natural extension of the City’s municipal boundary and meets the legal requirements for annexation.
7. The property to be annexed includes a portion of County Road 105 right-of-way, now known as Old Stage Road, thereby ensuring the roadway that serves city residents is completely within the city’s jurisdiction.
8. The annexation of the property is consistent with the vision and goals set forth in the Comprehensive Land Use Plan. Specifically, it is a strategic goal of the Plan to provide for new neighborhoods and opportunities for a variety of housing types and densities. In addition, the proposal will provide for a logical extension of the City boundary to support the demand for residentially zoned land, which will provide both housing and job opportunities.

The annexation of the property will be accompanied by an agreement which will address the street improvements required with the development; and other goals for the property including the provision of affordable housing.

The applicant is requesting R-4 zoning, primarily to take advantage of the five foot reduction in the front and rear setbacks the district affords over the R-3 or R-2 districts. The setbacks are important to the owners as they intend to build a riverfront home on Lot 4, which is over an acre and a half, but three-quarters of the lot is cut-off from road access by the Arkansas River. The other three lots are considerably over the size required by the requested zoning, but the buildable area is reduced by the river.

Though the application and minor subdivision indicates a desire to build four principal homes on the site, the Commission should be aware that the allowed density could be as many as 42 homes. However, the physical constraints caused by the river bifurcating the property limits the capacity of the site. Regardless, the R-4 district is consistent with the city zoning on the east and south.

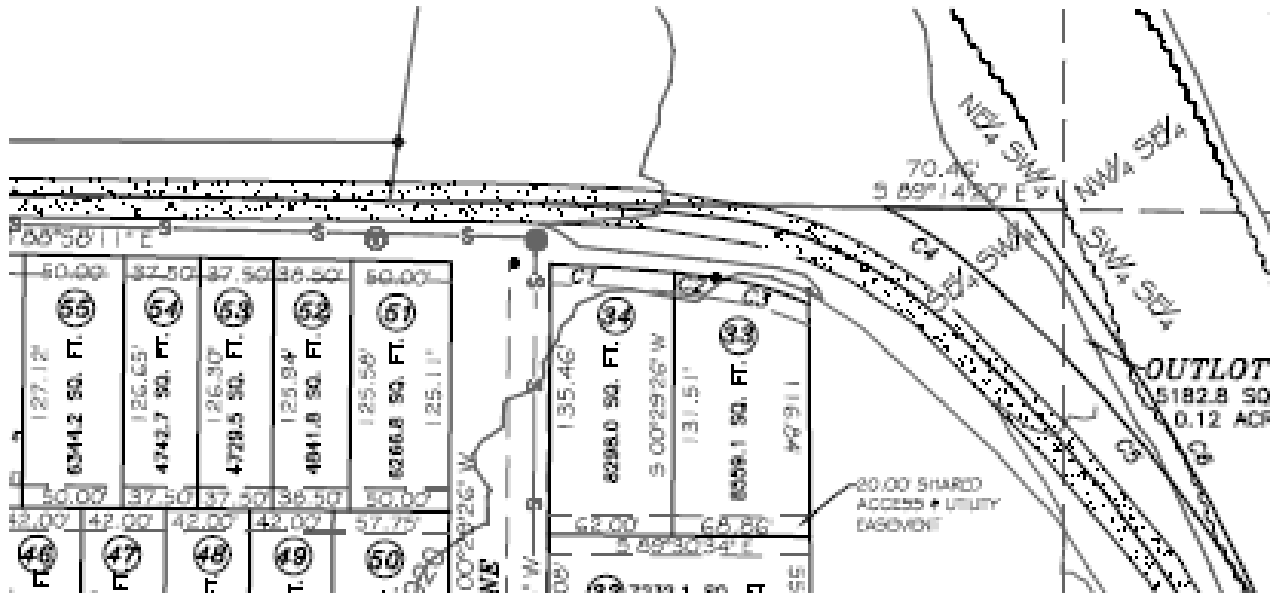
The review standards for a rezoning include:

1. Consistency with the Comprehensive Plan: The Comprehensive Plan includes the goals that new projects should complement the neighborhood’s mass and scale and be focused within the Municipal Services Area. The proposal supports these goals.
2. Consistency with the Purpose of the Zone District: The purpose of the R-4 district is to provide “...relatively high density manufactured housing, mobile home residences and mobile home



parcs.” Though this is not the intent of the owners, historically this has been the primary use in the area.

- 3. Compatibility with Surrounding Zone District and Uses: The R-4 district is the dominant zoning classification on the north side of Old Stage Road. On the south side, lots 33 and 34 of the Two Rivers PD are zoned R-2, however the planned development allowed the front setback be reduced to 10 feet, five feet less than the R-4 district. Lot 51 of Two Rivers is also across the street from the subject site, has the underlying zoning of R-3 and also has a reduced front setback of 10 feet.



- 4. Changed Conditions or Errors: The proposed zoning is occurring because of the requirement to rezone property annexed to the City in accordance with Section 16-4-50 of the Land Use and Development Code.

**MINOR SUBDIVISION:**

The proposed subdivision must comply with the following standards:

- 1. Comprehensive Plan. The proposed subdivision is consistent with the Comprehensive Plan.
- 2. Zone District Standards. The proposed subdivision complies with the dimensional standards of the R-4 district.
- 3. Improvements. The developer of the proposed subdivision will be required to extend street improvements for Old Stage Road to a point past the Two Rivers Subdivision. From there the roadway will have to transition back to the county standard. Water and sewer lines will also be extended.
- 4. Natural Features. The layout of lots were done to take advantage of the Arkansas River frontage. Natural features and native vegetation shall be preserved whenever possible. Tree masses and individual trees of six-inch caliper or greater should be preserved.
- 5. Floodplains. A large portion of the parcel is impacted by the 100 year floodplain. Tracts of land or portions thereof lying within the 100-year floodplain may only be subdivided for open space until the subdivider has shown that compliance with the requirements of the City's floodplain regulations can be met.



6. Noise Reduction. The site is not adjacent to a highway.
7. Future Streets. The owner/developer will be improving CR 105 (Old Stage Road).
8. Parks, Trails and Open Space. An open space fee in-lieu of \$3,000 per lot shall be required at the time of building permit issuance. The applicant may consider a dedication of open space to the City, such as the property on the northeast of the river. This may be an Extraordinary Contribution, and the Commission may recommend reducing or waiving the open space fee. Staff is recommending a 20 foot wide trail easement be dedicated on the northeast edge of the river for a future trail to be constructed by the City.
9. Lots and Blocks. The lots front on a local, public street; and the side lot lines are radial to the street frontage.
10. Architecture. The standards that require diversity in architectural design only apply of subdivisions of five lots or greater.
11. Codes. The subdivision will comply with all applicable City building, fire and safety codes for the proposed development.

**RESPONSE FROM REFERRAL DEPARTMENTS AND AGENCIES:**

- Salida Fire Department: Doug Bess, Fire Chief, responded “If water line is extended to the east property line, a fire hydrant shall be installed.”
- Salida Police Department: Lieutenant Russ Johnson responded “I have reviewed the plans that have been submitted and have no concerns at this time. However, I would request that the property on the east side of the river be marked because we have an issue with homeless camps in the area. This would allow us to determine venue for enforcing any issues that may arise.”

- Chaffee County Development Services Department: Jon Roorda, Planning Manager stated “CR 105 should be dedicated 30 feet from center of road. City to assume road maintenance.”
- Salida Public Works Department: Public Works Director David Lady stated “Complete road improvements adjacent to the site to match cross section on the south side of the road, including paving, curb gutter and sidewalk to a point even with the east property line of Lot 33 in Two Rivers Subdivision Phase 1.”
- Salida Finance Department: Jodi McClurkin stated “Owners should be aware of the system development fees, and when payment is due.”

**STAFF RECOMMENDATION:**

Staff recommends the Planning Commission recommend the Council approve the proposed annexation and zoning; and approval of the Geodesia Minor Subdivision, subject to the conditions listed below.

**RECOMMENDED MOTIONS:**

- A. “I make a motion to recommend the City Council approve the proposed Buckley-Meadows annexation as it meets the findings for annexation, subject to Council approval of an annexation agreement that addresses:
- Provision of one residential unit, or accessory dwelling units (ADU), that is affordable to a household earning 80% or less of the Area Median Income for Chaffee County; or
  - Provision of an in-lieu fee equal to the lessor of \$7,874 or \$3.94 (livable square feet of home), per unit at the time of issuance of a building permit.
  - If an affordable unit is provided on-site, the water and sewer system development fees for the unit will be reduced by 60% of the fees in effect at the time of issuance of a building permit, unless the effective fee structure accounts for cost reductions for affordable housing.
  - Provision of in-lieu open space fees (currently \$3,000 per unit) in an amount then in effect at the time of issuance of a building permit; or dedication of open space that the City Council finds to be an Extraordinary Contribution per Section 16-6-120 (8) (v).
  - Provision of a 20 foot wide pedestrian trail easement along the northeast side of the river within Lot 4 for the construction of a trail by the City of Salida at a future date.
  - Provision of school impact fees (currently \$354 per unit) in an amount then in effect at the time of issuance of a building permit.
  - Dedication of right-of-way and completion of street improvements as required by the approval of the Geodesia Minor Subdivision.
  - This agreement is for development of the Geodesia Minor Subdivision for four principal residences and associated ADU’s. Any increase to the density of the property will require Council approval of an amendment to this agreement.”
- B. “I make a motion to recommend the City Council approve the rezoning of the subject site to R-4, Manufactured Housing Residential District as it meets the review standards for a rezoning.”
- C. “I make a motion to approve the Geodesia Minor Subdivision as it meets the review standards for a subdivision, subject to the following conditions:

1. Approval of the subdivision is contingent upon the annexation and rezoning becoming effective.
2. The plat shall delineate the 100 year floodplain.
3. Owner shall dedicate up to 30 feet of right-of-way from centerline of CR 105 (Old Stage Road) so the total right-of-way for the road equals 60 feet.
4. Developer shall enter into a subdivision improvement agreement that guarantees the construction of street improvements to the half of CR 105 (Old Stage Road) adjacent to the subdivision to include additional paving, curb, gutter and sidewalk from the west edge of Lot 1 to the east edge of Lot 33 in Two Rivers Subdivision Phase 1. Improvements are also to include the extension of sewer and water lines within this frontage. The waterline shall terminate at a fire hydrant.
5. Provide 20 foot wide pedestrian trail easement along the northeast side of the river within Lot 4.
6. Provide a note on the plat: “Pursuant to section 16-6-120(8), Parks Trails and Open Space of the Salida Municipal Code, as may be amended, neither land dedication nor fees-in-lieu have been paid for this subdivision. At the time that residential dwelling units are constructed on any of the lots herein, either by further subdivision or building permit approval, land dedication and/or fees in lieu for parks, trails and open space in the amount then in effect shall be payable to the City prior to issuance of building permits.”
7. Provide note on plat: “Pursuant to section 16-6-140, Fair Contributions for Public School Sites, as may be amended, a payment in lieu of land dedication for fair contributions for public school sites shall be paid by the owner of each lot within this subdivision prior to issuance of a building permit for any new residence on such lot.

Attachments:

- Application for Annexation
- Application for Zoning
- Application for Minor Subdivision
- Proof of publication

**PUBLIC NOTICE  
NOTICE OF PUBLIC HEARING  
BEFORE THE PLANNING COMMISSION  
FOR THE CITY OF SALIDA CONCERNING  
A REZONING APPLICATION**

**TO ALL MEMBERS OF THE PUBLIC AND INTERESTED PERSONS: PLEASE TAKE NOTICE:** that on October 24, 2022 at or about the hour of 6:00 p.m., a public hearing will be conducted by the City of Salida Planning Commission at City Council Chambers, 448 East First Street, Suite 190, Salida, Colorado and online at the following link: <https://attendee.gotowebinar.com/rt/1909092342220683277>.

The applicants: Benjamin Griffin, Kyle Weiss, Robert Weiss, Robert Karls, Charlotte Karls, Sage Kitson, are requesting to rezone the subject properties Lots 15-21 of the River Ridge Subdivision and Lots 1-2 of the Dutch Run Minor Subdivision from (R-3) and (R-4) zone districts to Medium Density Residential District (R-2). The purpose of the Medium Density Residential District (R-2) zone district

10/10/22, 12:00 PM

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is to provide for residential neighborhoods comprised of detached single-family dwellings, duplex dwellings and multi-family residences on smaller lots.

Any recommendation by the Planning Commission for rezoning shall be forwarded to the City Council for review and public hearing. Interested persons are encouraged to attend the public hearing. Further information on the application may be obtained from the Community Development Department, (719) 530-2634.

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

Published in The Mountain Mail October 7, 2022

From: [Bill Almquist](#)  
To: [Bill Hussey](#)  
Cc: [kathryn.dunleavy@cityofsalida.com](#); [Gianfranco Palumbo](#); [Kristi Jefferson](#)  
Subject: Re: R3 and R4 single family  
Date: Thursday, October 20, 2022 2:30:44 PM  
Attachments: [image001.png](#)

Not at all. I am including Kristi on here so that it can be added to the packet in time for Monday's meeting.

On Thu, Oct 20, 2022 at 2:10 PM Bill Hussey <[bhussey@crabtreegroupinc.com](mailto:bhussey@crabtreegroupinc.com)> wrote:

Thank you for the info.

I think your intentions are good, and I think it makes sense to consider minimum densities and maximum lot sizes going forward in the code re-write. But currently the city code doesn't allow refusal of single family homes in R3 or R4 because the clear language of table 16-D must supersede the vague language of 16-4-70.

Is it too late to include this email thread in the packet? I see it hasn't hit the website yet.

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**From:** Bill Almquist <[bill.almquist@cityofsalida.com](mailto:bill.almquist@cityofsalida.com)>  
**Sent:** Thursday, October 20, 2022 12:29 PM  
**To:** Bill Hussey <[bhussey@crabtreegroupinc.com](mailto:bhussey@crabtreegroupinc.com)>  
**Cc:** [kathryn.dunleavy@cityofsalida.com](mailto:kathryn.dunleavy@cityofsalida.com); [Gianfranco Palumbo <franco.palumbo@cityofsalida.com](mailto:Gianfranco Palumbo <franco.palumbo@cityofsalida.com)>  
**Subject:** Re: R3 and R4 single family

Hey Bill,

The potential implications for Angelview have not been lost on me. I intend to bring this up (both for other lots within River Ridge/Dutch Run, as well as Angelview and others) and get Planning Commission's feedback on detached (stick-built) single-family homes in the R-3 and R-4. The purpose statement for R-3 seems to exclude unattached single-family (i.e. non-townhouse) uses, while the same for R-4 seems to exclude everything that is not manufactured housing or mobile homes. This is why we need to get things cleared up. I will dive deeper into it on Monday night.

On Thu, Oct 20, 2022 at 11:49 AM Bill Hussey <[bhussey@crabtreegroupinc.com](mailto:bhussey@crabtreegroupinc.com)> wrote:

Hi Bill,

Could you please clarify where in the code disallows single family homes in R3 and R4? I just got a call from Carrie Mesch about River Ridge which got me thinking about this issue again. My interpretation: 16-4-70 says...

- (3) High-Density Residential (R-3). The purpose of the High-Density Residential (R-3) zone district is to provide for relatively high density duplex and multi-family residential areas, including primarily triplex, townhouse and apartment uses. Complementary land uses may also include such supporting land uses as parks, schools, churches, home occupations or day care, amongst other uses.
- (4) Manufactured Housing Residential (R-4). The purpose of the Manufactured Housing Residential (R-4) zone district is to provide for relatively high density manufactured housing, mobile home residences and mobile home parks. Complementary land uses may also include such supporting land uses as parks, schools, churches, home occupations or day care, amongst other uses.

The key words are "amongst other uses." The other uses in this case being single family homes. At best, the language in 16-4-70 is vague. So I would default to where the language is clear, in table 16-D, where single family homes in R3 and R4 are allowed under administrative review.

How will your interpretation apply to Angelview?

Thanks in advance for the clarification.

Bill Hussey  
Crabtree Group, Inc.  
Office: 719-539-1675  
Mobile: 920-875-0015

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"M.S.H.G.S.D"  
External Email



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