



PLANNING COMMISSION REGULAR MEETING

448 E. 1st Street, Room 190 Salida, Colorado 81201

February 28, 2023 - 6:00 PM

AGENDA

Email public comments to: publiccomment@cityofsalida.com

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

CALL TO ORDER BY CHAIRMAN – 6:00 PM

ROLL CALL

APPROVAL OF THE MINUTES

1. January 23, 2023 - Draft Minutes

UNSCHEDULED CITIZENS

AMENDMENT(S) TO AGENDA

PUBLIC HEARINGS

Public Hearings will follow the following procedure:

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

2. **Groover Annexation** - The applicant's, Dewey and Lorita Groover, are requesting approval to annex their .65 acre property located at 7285 County Road 160.

3. **Groover Zoning - Major Impact Review** - The applicant's, Dewey and Lorita Groover, are requesting a zoning designation of the Medium Density Residential (R-2) zone district should their property be annexed.

UPDATES

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.**



PLANNING COMMISSION REGULAR MEETING

448 E. 1st Street, Room 190 Salida, Colorado 81201
January 23, 2023 - 6:00 PM

MINUTES

Email public comments to: publiccomment@cityofsalida.com

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

CALL TO ORDER BY CHAIRMAN – 6:00 PM

PRESENT

Chairman Greg Follet
Vice-Chair Francie Bomer
Commissioner Giff Kriebel
Commissioner Judith Dockery
Commissioner Michelle Walker
Commissioner Brian Colby
Alternate Commissioner Dan Bush

ABSENT

Commissioner Aaron Derwingson

ROLL CALL

APPROVAL OF THE MINUTES

1. December 13, 2022 - Draft Minutes

Motion made by Vice-Chair Bomer to approve the minutes, Seconded by Commissioner Walker.
Voting Yea: Chairman Follet, Vice-Chair Bomer, Commissioner Kriebel, Commissioner Dockery,
Commissioner Walker, Commissioner Colby, Alternate Commissioner Bush

THE MOTION PASSED.

UNSCHEDULED CITIZENS – Doug Mendelson spoke as an unscheduled citizen.

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. **Amendments to Chapter 16, Article VIII of the Salida Municipal Code** - The proposal is for amendments to Chapter 16, Article VIII regarding Design Standards for Stormwater Management and Grading and Erosion Control.

A. Open Public hearing – 6:01pm

B. Proof of Publication –

C. Staff Review–

Public Works Director, David Lady, reviewed the application. Mark Rocheleau was also present to answer questions.

Commission asked the following:

- Are some developers putting detention facilities underneath parking and by doing that, would it exclude number three?
- To what degree does that protect the environment or help the developer?
- If there is a natural water flow on a particular site, to what degree is that a consideration to maintain rather than designing something new?
- Does this only apply to Major subdivisions? Does this not apply to minor subdivisions?
- Add "City of Salida" to the Design Criteria Manual
- Does this relate to a 100 year floodplain?
- Is the intent of these edits to be more conservative and account for stronger storms?
- Is the City of Salida Design Criteria Manual updated frequently?

D. Applicant's Presentation-

E. Public Input – NA

F. Close Public Hearing – 6:21pm

G. Commissioner Discussion –

H. Commission Recommendation –

Motion made by Vice-Chair Bomer to recommend City Council approve the proposed text amendments to Chapter 16 of the Salida Municipal Code regarding Design Standards for Stormwater Management and Grading and Erosion Control noting the two points of change or correction. Seconded by Commissioner Walker.

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

THE MOTION PASSED.

UPDATES

Director of Community Development, Bill Almquist, provided updates.

COMMISSIONERS' COMMENTS

ADJOURN With no further business to come before the Commission, the meeting adjourned at 6:44 p.m.



PLANNING COMMISSION STAFF REPORT

MEETING DATE: February 28, 2023

AGENDA ITEM TITLE: Recommendation on Proposed Annexation – Groover Annexation

AGENDA SECTION: Public Hearing

REQUEST / BACKGROUND:

Property owners, Dewey and Lorita Groover submitted a Major Impact Review application to annex and zone their .65 acre property located at 7285 C.R.160.

On the North side of the site is the Heart of the Rockies Regional Medical Campus property and to the East and South are residential subdivisions.

There is a single-family residence and a detached garage on the property and the owners will be constructing an accessory dwelling unit (ADU) in the near future.

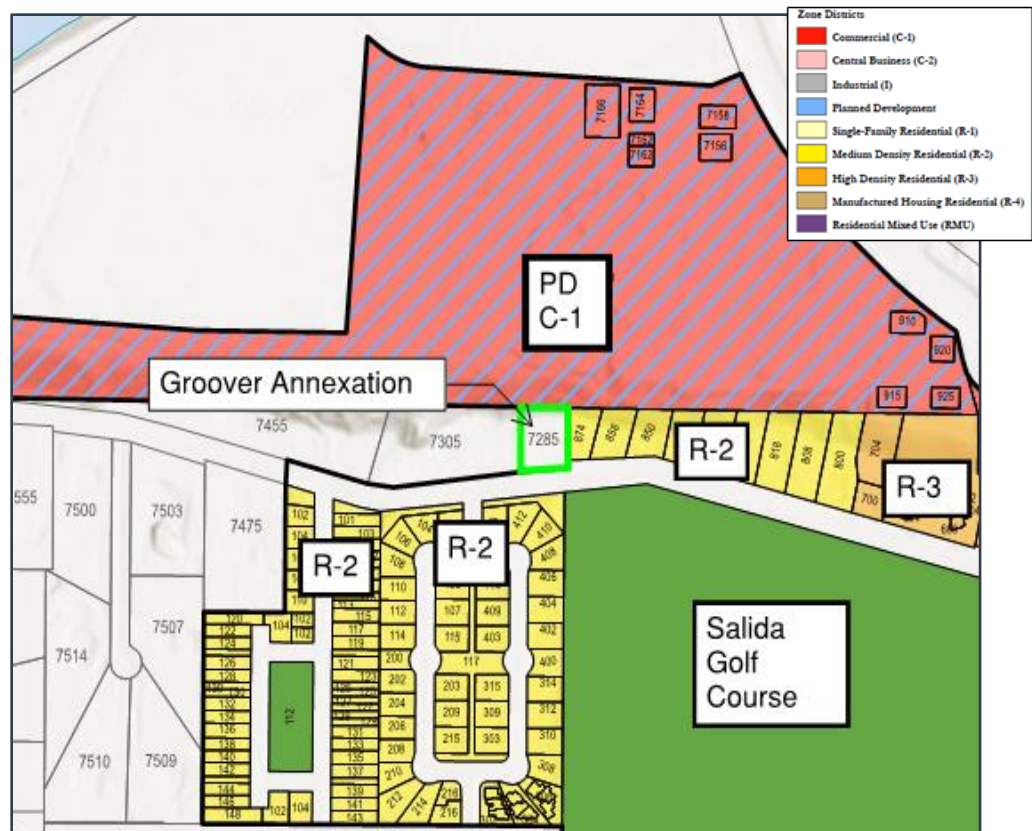


Surrounding Land Use and Zoning: The site is currently zoned RES (Residential Zone District) in Chaffee County. The properties immediately to the west remain in Chaffee County and are also zoned RES. The properties to the north and east are within the city limits.

The properties to the east and south are zoned Medium Density Residential (R-2) and the property to the north is the HRRMC campus that is zoned Commercial (C-1) with a planned development overlay.

PROCESS:

An application for annexation is a multi-step process. When annexing a property, the City must follow state statutes for contiguity and procedural requirements. The steps and standards include:

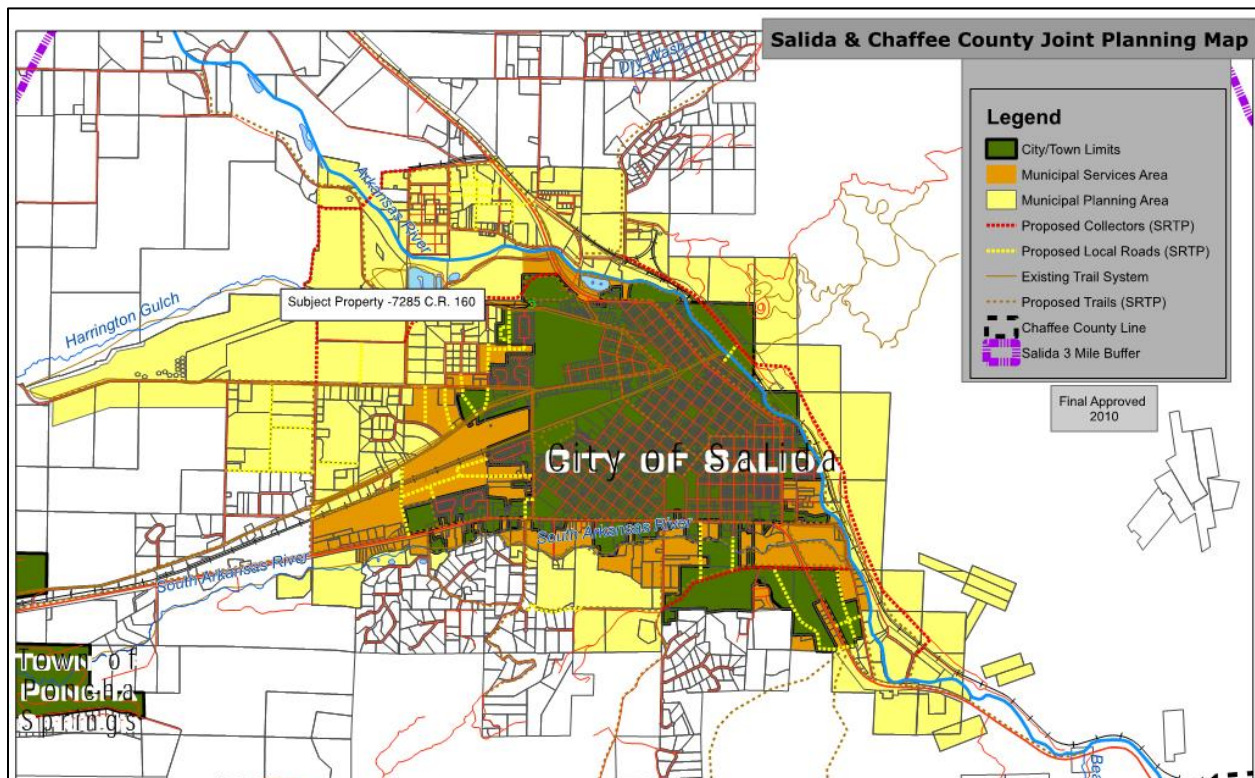


- 1/6th of the perimeter of a proposed annexation must be contiguous with the City of Salida;
- Staff reviews the petition for compliance with city and state statutes and Council adopts a resolution stating the petition is valid and sets a public hearing date that is no less than 30 days and no greater than 60 days from the resolution date;
 - On February 21, 2023 City Council adopted Resolution 2023-08 finding the Annexation petition in compliance with city and state statutes and set the public hearing date for April 04, 2023.
- The (City Council) public hearing is advertised in the newspaper for four consecutive weeks;
- The Planning Commission holds a public hearing to review the annexation and recommend the zoning designation of the property;
- Council holds the public hearing on the annexation petition;
- Council reviews and possibly approves an annexation agreement; and
- Council holds a public hearing to review and possibly approves the proposed zoning.

FINDINGS OF FACT:

As explained above, the annexation shall be considered by the Commission as a required step prior to the zoning of the property. The following findings of facts are required for annexation:

1. The proposed annexation meets the required 1/6th contiguity with the municipal boundary of the City of Salida as shown on the annexation plat.
2. All applicable owners of the property are party to the annexation.
3. The annexation property is within the Municipal Services Area (MSA) of the City of Salida, as defined in the City's Comprehensive Plan and its intergovernmental agreement (IGA) with Chaffee County approved in 2010. According to the IGA, the MSA "encompasses properties which are eligible for annexation and extension of municipal utilities and infrastructure, within the parameters set forth in the Salida Municipal Code and Salida Comprehensive Plan, which may be amended from time to time."



The annexation of the property is consistent with the vision and goals set forth in the Comprehensive Land Use Plan. Specifically, to promote new development projects that contain a variety of housing, including affordable units. The applicant will be required to meet the Inclusionary Housing Ordinance with any new development on the property.

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 housing opportunities.

4. The property may be efficiently served by City fire and police departments.

5. The property is a natural extension of the City's municipal boundary and meets the legal requirements for annexation.

RESPONSE FROM REFERRAL DEPARTMENTS AND AGENCIES:

- Salida Fire Department: Fire Chief, Doug Bess, responded "No issues with Fire."
- Salida Police Department: Police Chief, Russ Johnson, responded "No issues from PD."
- Salida Public Works Department: Public Works Director, David Lady, responded "The adjacent properties to the east constructed curb, gutter, and sidewalk. Since this property will likely not subdivide further, we should discuss if time of connection to public infrastructure would be the best trigger for completing these."
- Salida Finance Department: Staff Accountant, Renee Thonhoff, responded 7285 County Road 160 does not have water or sewer on it at this time. Upon annexation system development fees for water & sewer will need to be paid.
- Chaffee County Planning and Zoning: Planning Director, Miles Cottom, responded "I have no concerns from the County perspective."

STAFF RECOMMENDATION:

Staff recommends the Planning Commission recommend City Council approve the proposed Groover Annexation, subject to the conditions listed below.

RECOMMENDED MOTIONS:

"I make a motion to recommend City Council approve the proposed Groover Annexation as it meets the findings of fact for annexation, subject to the following recommended conditions to be included in the annexation agreement:

1. Owner shall meet the inclusionary housing requirements of Article XIII of Chapter 16 of the Salida Municipal Code at the time of building permit submittal for additional principal dwelling units constructed on the property.
2. Owner agrees to pay at the time of building permit all applicable fees for the property in the amounts set forth pursuant to the Salida Municipal Code, or as hereafter amended, namely the building plan review; water and sewer system development fees; and the Fair Contribution to School Sites per Section 16-6-140 of the Salida Municipal Code (SMC)).
3. Fees in lieu of open space shall be provided, in an amount then in effect, at the time of issuance of a building permit for new residential units constructed on the property.

Attachments: Groover Annexation Application and Plat Submittal
Agency Review
Proof of publication

**PUBLIC NOTICE
NOTICE OF PUBLIC HEARING BEFORE
THE PLANNING COMMISSION AND CITY
COUNCIL FOR THE CITY OF SALIDA
CONCERNING ANNEXATION AND ZONING
APPLICATIONS**

**TO ALL MEMBERS OF THE PUBLIC AND
INTERESTED PERSONS: PLEASE TAKE**

NOTICE: that on February 28, 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 hearing is regarding applications for Annexation and Zoning submitted by and on behalf Dewey and Lorita Groover, for the property located at 7285 County Road 160.

The City is currently considering a petition to annex and zone the subject property into the City. The general purpose of the application is to consider the applicant's request to zone the property Medium Density Residential (R-2). Any recommendation by the Planning Commission for the Annexation and Zoning shall be forwarded to the City Council for review and a public hearing scheduled for April 04, 2023, at or about the hour of 6:00 p.m. at City Council Chambers and online at the following link: <https://attendee.gotowebinar.com/register/6382995264411204366>.

Interested persons are encouraged to attend the public hearing. Further information on the applications 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 February 10, 2023

From: [David Lady](#)
To: ["Kristi Jefferson"](#); ["Russ Johnson"](#); ["Doug Bess"](#); ["Renee Thonhoff"](#)
Cc: mcottom@chaffeecounty.org
Subject: RE: Agency review -Groover Annexation and Zoning application
Date: Friday, February 3, 2023 9:42:36 AM
Attachments: [image002.png](#)

The adjacent properties to the east constructed curb, gutter, and sidewalk. Since this property will likely not subdivide further, we should discuss if time of connection to public infrastructure would be the best trigger for completing these.



David Lady
Director of Public Works

david.lady@cityofsalida.com
P: 719-539-6257 | C: 719-239-0048
340 W. Hwy 291, Salida, CO 81201
cityofsalida.com

From: Kristi Jefferson [mailto:kristi.jefferson@cityofsalida.com]
Sent: Wednesday, February 1, 2023 10:47 AM
To: david.lady@cityofsalida.com; 'Russ Johnson' <rjohnson@salidapolice.com>; 'Doug Bess' <doug.bess@cityofsalida.com>; 'Renee Thonhoff' <renee.thonhoff@cityofsalida.com>
Cc: mcottom@chaffeecounty.org
Subject: Agency review -Groover Annexation and Zoning application

Attached is the agency review for the Groover Annexation and Zoning applications for their property located at 7285 C.R. 160. 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

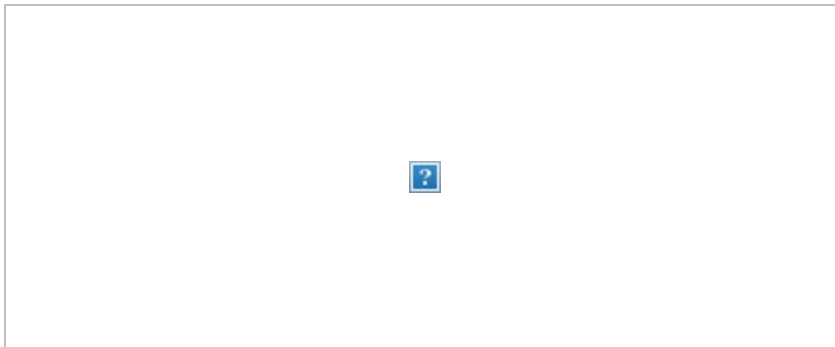


Sender and receiver should be mindful that all my incoming and outgoing emails may be subject to the Colorado Open Records Act, § 24-72-100.1, et seq.

From: [Renee Thonhoff](#)
To: [Kristi Jefferson](#)
Cc: david.lady@cityofsalida.com; [Russ Johnson](#); [Doug Bess](#); mcottom@chaffeeconomy.org
Subject: Re: Agency review -Groover Annexation and Zoning application
Date: Friday, February 3, 2023 3:54:08 PM
Attachments: [image003.png](#)

7285 County Road 160 does not have water or sewer on it at this time. Upon annexation system development fees for water & sewer in the following amounts will need to be paid.

\$8,512 Water Fee
 \$1,936 High Zone Fee
 \$ 375 Water Meter Fee
\$5,206 Sewer Fee
 \$16,029 Total system development fees



Our Office will be Closed Monday February 20th

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.

On Wed, Feb 1, 2023 at 10:47 AM Kristi Jefferson <kristi.jefferson@cityofsalida.com> wrote:

| Attached is the agency review for the Groover Annexation and Zoning applications for their

From: [Russ Johnson](#)
To: [Kristi Jefferson](#); david.lady@cityofsalida.com; ["Doug Bess"](#); ["Renee Thonhoff"](#)
Cc: mcottom@chaffeeconomy.org
Subject: Re: Agency review -Groover Annexation and Zoning application
Date: Wednesday, February 1, 2023 1:15:35 PM
Attachments: [image003.png](#)

No concerns at this time from PD.

Get [Outlook for iOS](#)

From: Kristi Jefferson <kristi.jefferson@cityofsalida.com>
Sent: Wednesday, February 1, 2023 10:46:59 AM
To: david.lady@cityofsalida.com <david.lady@cityofsalida.com>; Russ Johnson <rjohnson@salidapolice.com>; 'Doug Bess' <doug.bess@cityofsalida.com>; 'Renee Thonhoff' <renee.thonhoff@cityofsalida.com>
Cc: mcottom@chaffeeconomy.org <mcottom@chaffeeconomy.org>
Subject: Agency review -Groover Annexation and Zoning application

Attached is the agency review for the Groover Annexation and Zoning applications for their property located at 7285 C.R. 160. 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: [Miles Cottom](#)
To: [Kristi Jefferson](#)
Subject: Re: Agency review -Groover Annexation and Zoning application
Date: Wednesday, February 1, 2023 1:18:55 PM
Attachments: [image003.png](#)

Hey Kristi,

I have no concerns from the County's perspective.

Thank you,

--

Miles W. Cottom

Planning Director / Asst. County Attorney
Chaffee County Government
Phone: 719-221-3475

On Wed, Feb 1, 2023 at 10:47 AM Kristi Jefferson <kristi.jefferson@cityofsalida.com> wrote:

Attached is the agency review for the Groover Annexation and Zoning applications for their property located at 7285 C.R. 160. 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.



GENERAL DEVELOPMENT APPLICATION

448 East First Street, Suite 112

Salida, CO 81201

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

Email: 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) <u>R-2 Zoning</u>
☐ Other: _____ |
|---|---|

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

A. Applicant Information

Name of Applicant: Dewey G. Groover III and Lorita R. Groover

Mailing Address: 7285 County Road 160, Salida, CO 81201

Telephone Number: Home (Priority) 719-539-2114 Dewey's Cell = 719-207-3725 FAX: _____

Email Address: dewabbylor@outlook.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: Groover Annexation

Street Address: 7285 County Road 160
see Groover Annexation Plat

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 Nov. 18, 2022

Signature of property owner Lorita R. Groover Date Nov. 18, 2022

Lorita R. Groover

November 18, 2022

Dear Kristi Jefferson, City of Salida, Senior Planner:

We are Lorita R. Groover and Dewey G. Groover III and are the owners of property located at 7285 County Road 160, Salida, CO 81201.

We are requesting annexation of our property into the City of Salida. We are requesting this annexation to have a zoning classification of Medium Density Residential (R-2).

Thank you for your consideration,


Lorita R. Groover


Dewey G. Groover III



ANNEXATION APPLICATION

448 East First Street, Suite 112

Salida, CO 81201

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

Email: planning@cityofsalida.com

1. PROCEDURE (City Code Section 16-9-20)

A. Development Process

1. Pre-Application Conference. Optional.
2. Submit Application.
3. Staff Review for Completeness.
4. Resolution to Accept Application to City Council
5. Establish Public Hearing Date before Council per Colorado Municipal Annexation Act of 1965.
6. Staff Evaluation of Application and Annexation Agreement (if applicable)
7. Establish Public Hearing Date Before the Planning Commission.
8. Public Notice Provided For Hearings.
9. Public Hearing Conducted by Commission.
10. Annexation Ordinance to City Council for 1st and 2nd Reading.

2. APPLICATION CONTENTS (City Code Section 16-9-40)

1. General Development Application

2. Annexation Petition

3. **Annexation Map.** The preferred scale of the map is one (1) inch equals one hundred (100) feet; the minimum allowable scale is one (1) inch equals two hundred (200) feet. Sheet size shall be twenty-four (24) inches by thirty-six (36) inches. If it is necessary to draw the map on more than one (1) sheet, a sheet index shall be placed on the first sheet. The annexation map shall contain the following:
 - a. Annexation Name
 - b. Legal description. Legal description of the perimeter
 - c. Names and addresses. Names and addresses of the owners, subdivider, land planner and land surveyor registered in the State.
 - d. Scale
 - e. North arrow
 - f. Date. The date the map was prepared.
 - g. Boundary lines and dimensions. Boundary lines of the proposed annexation. Distinction of the boundary that is contiguous to the City and the length of the same boundary on the map, including required showing of contiguity in feet.
 - h. Platted lots. Lot and block numbers if the area is already platted.
 - i. Improvements and easements. The location and dimensions of all existing and proposed streets, alleys, easements, ditches and utilities within or adjacent to the proposed annexation.
 - j. Vicinity map. The vicinity map shall show the location of the proposed annexation, in relation to the City.
 - k. Acreage. Total acreage to be annexed.
 - l. Certificates. Certificates required to appear on the final annexation plat are described in Section 16-9-40 of the Land Use Code.
4. **Digital Copy.** A digital copy of the plat compatible with the City GIS shall be submitted.
5. **Application Fee** \$3,000 cash or check made out to City of Salida (\$1,000 application fee + \$2,000 retainer for attorney's fees)

mailed

7. Public Notice.

- a) 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 proof of posting the public notice.

8. Petition for Exclusion from the South Arkansas Fire Protection District (optional)**9. Notarized Special Fee and Cost Reimbursement Agreement completed**

ANNEXATION PETITION**TO THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO, GREETINGS:**

The undersigned hereby petition(s) the City of Salida to annex to the City of Salida the territory shown on the map(s) attached hereto and described on the attachment hereto:

This Petition is signed by the landowners qualified to sign. It is intended that this Petition be a one hundred percent (100%) petition for annexation as described in C. R. S. 1973, Section 31-12-107(l)(g), (as amended).

In support of this petition, the undersigned state(s) and allege(s) as follows, to wit:

1. That it is desirable and necessary that the above-described territory be annexed to the City of Salida.
2. That petitioners are landowners of one hundred percent (100%) of the territory, excluding streets and alleys, herein proposed for annexation to the City of Salida.
3. That no less than one-sixth of the aggregate external boundaries of the above-described territory hereby petitioned to the City of Salida is contiguous to the City limits of the City of Salida.
4. Accompanying this petition are two mylars and twenty copies of the annexation map.
5. That a community of interest exists between the above-described territory and the City of Salida, and that the same is urban, or will be urbanized in the near future, and further that the said territory is integrated or is capable of being integrated in the City of Salida.
6. That the above-described territory does not include any area which is the same or substantially the same area in which an election for an annexation to the City of Salida, was held within the twelve months preceding the filing of this petition.
7. That the above-described territory does not include any area included in another annexation proceeding involving city other than the City of Salida.
8. That the above-described territory is not presently a part of any incorporated city, city and county, or town.
9. That the above area described will (not) result in the detachment of the area from any school district and the attachment of the same to another school district.

ANNEXATION PETITION

"INSERT A"

(Description of territory proposed for annexation)

A tract of land located in the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 31, Township 50 North, Range 9 East of the New Mexico Principal Meridian in Chaffee County, Colorado, described as follows:

Beginning at a point on the north boundary of the said Northwest $\frac{1}{4}$ Southeast $\frac{1}{4}$ of Section 31, said point being marked, as are each of the tract corners, by a 5/8-inch rebar with a 1 $\frac{1}{2}$ -inch aluminum cap stamped "LS 36575";

Thence north 89°18'11" West along said north boundary 150.04 feet to a rebar and cap as described above;

Thence south 00°13'23" West 197.94 feet to a point on the north boundary of Chaffee County Road No. 160, said point being marked by a rebar and cap as described above;

Thence North 83°28'47" East along said northerly county road boundary, 151.11 feet to a rebar and cap as described above;

Thence North 00°12'51" East 178.94 feet to the point of beginning.

Containing 0.65 Acre, more or less.

Also known by the following addresses:

7285 County Road 160, Salida, CO 81201

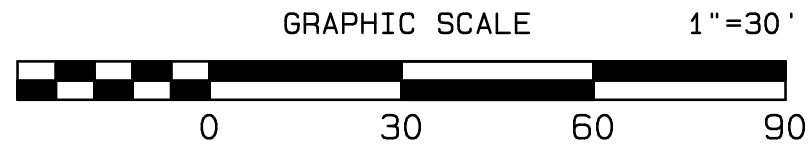
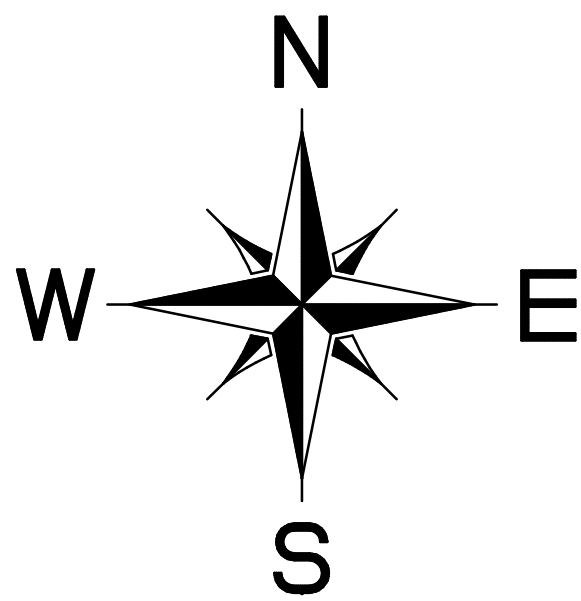
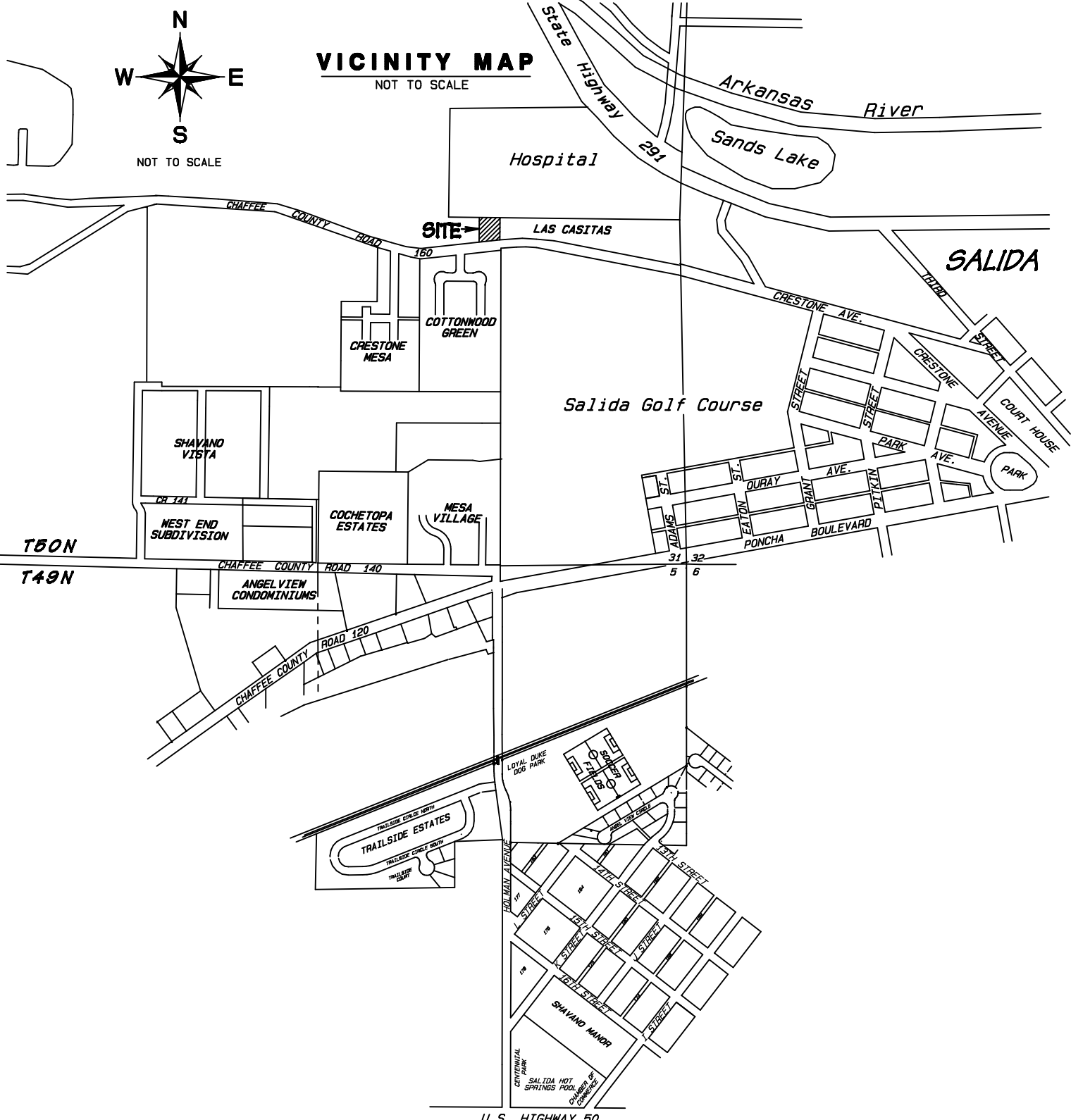
And assessor's schedule or parcel number: 368131400001

ANNEXATION PETITION

This Section must be filled out if there are multiple properties/property owners petitioning annexation.

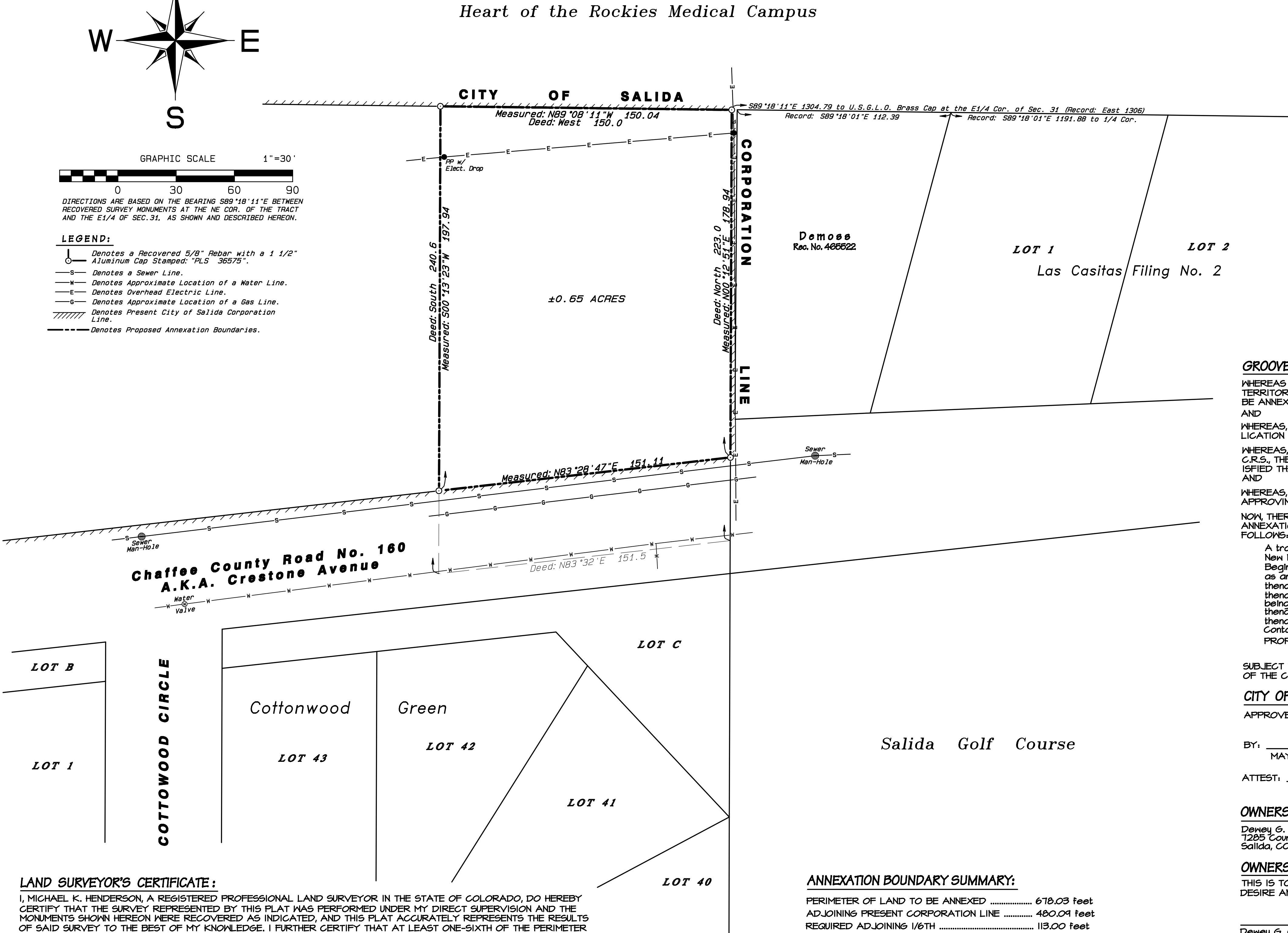
Signature of Petitioners Requesting Annexation to the City of Salida, Colorado	Date of Signature of Each Petitioner	Mailing Address of each Petitioner	Description of Property Included the Area Proposed for Annexation Owned by Each person Signing this Petition. (Attach separate sheet, if necessary)
Dewey George Groover III	11-18-2022		
Lorita R. Groover	11-18-2022		

GROOVER ANNEXATION PLAT
FOR A TRACT LOCATED IN THE
NW 1/4 SE 1/4 OF SECTION 31, T 50 N, R 9 E, N.M.P.M.
CHAFFEE COUNTY, COLORADO



DIRECTIONS ARE BASED ON THE BEARING S89°18'11"E BETWEEN RECOVERED SURVEY MONUMENTS AT THE NE COR. OF THE TRACT AND THE E1/4 OF SEC. 31, AS SHOWN AND DESCRIBED HEREON.

- LEGEND:**
- Denotes a Recovered 5/8" Rebar with a 1 1/2" Aluminum Cap Stamped: "PLS 36575".
 - Denotes a Sewer Line.
 - Denotes Approximate Location of a Water Line.
 - Denotes Overhead Electric Line.
 - Denotes Approximate Location of a Gas Line.
 - Denotes Present City of Salida Corporation Line.
 - Denotes Proposed Annexation Boundaries.



LAND SURVEYOR'S CERTIFICATE:

I, MICHAEL K. HENDERSON, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE SURVEY REPRESENTED BY THIS PLAT WAS PERFORMED UNDER MY DIRECT SUPERVISION AND THE MONUMENTS SHOWN HEREON WERE RECOVERED AS INDICATED, AND THIS PLAT ACCURATELY REPRESENTS THE RESULTS OF SAID SURVEY TO THE BEST OF MY KNOWLEDGE. I FURTHER CERTIFY THAT AT LEAST ONE-SIXTH OF THE PERIMETER BOUNDARIES OF THE TRACT TO BE ANNEXED ARE ADJACENT TO THE PRESENT CITY OF SALIDA CORPORATION LINE. DATED THIS ____ DAY OF _____, 202__.

ANNEXATION BOUNDARY SUMMARY:

PERIMETER OF LAND TO BE ANNEXED 678.03 feet
ADJOINING PRESENT CORPORATION LINE 480.01 feet
REQUIRED ADJOINING 1/6TH 113.00 feet

CITY OF SALIDA CLERK'S CERTIFICATE:

I HEREBY CERTIFY THAT THIS EXECUTED ANNEXATION MAP, ALONG WITH THE ORIGINAL ANNEXATION ORDINANCE FOR THE GROOVER ANNEXATION WAS ACCEPTED FOR FILING IN MY OFFICE ON THE ____ DAY OF _____, 202__.

GENERAL LAND SURVEYOR'S NOTES:

- DEED REFERS TO WARRANTY DEED RECORDED AT RECEPTION NO. 406054 OF THE CHAFFEE COUNTY RECORDS.
- DEED LINES ARE BASED ON THE LOCATIONS OF THE RECOVERED REBAR SURVEY MONUMENTS SHOWN AND DESCRIBED ON THIS PLAT.
- ANNEXATION DESCRIPTION PREPARED BY MICHAEL K. HENDERSON, 203 G STREET, SALIDA, CO 81201, AND IS BASED ON THE LOCATIONS OF THE DEED LINES DESCRIBED IN NOTE 2.
- ALL DISTANCES ARE U.S. SURVEY FEET.

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

CITY CLERK

CHAFFEE COUNTY CLERK & RECORDER'S CERTIFICATE:

I HEREBY CERTIFY THAT A CERTIFIED COPY OF THIS ANNEXATION MAP AND A CERTIFIED COPY OF THE ANNEXATION ORDINANCE FOR THE GROOVER ANNEXATION TO THE CITY OF SALIDA, CHAFFEE COUNTY, COLORADO, WERE ACCEPTED AND FILED IN MY OFFICE ON THIS ____ DAY OF _____, 20__, UNDER RECEPTION NUMBER(S) _____.

CHAFFEE COUNTY CLERK AND RECORDER

GROOVER ANNEXATION TO THE CITY OF SALIDA CERTIFICATION:

WHEREAS THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO, HAS BEEN PRESENTED WITH AN APPLICATION TO ANNEX THE TERRITORY DESCRIBED HEREIN BY DENEY G. GROOVER III AND LORITA R. GROOVER, THE OWNERS OF 100% OF THE AREA TO BE ANNEXED;
AND

WHEREAS, THE CITY COUNCIL BY RESOLUTION ADOPTED _____, 202__, DETERMINED THAT THE ANNEXATION APPLICATION SUBSTANTIALLY COMPLIED WITH THE REQUIREMENTS OF SECTION 38-12-107(I), C.R.S. AND

WHEREAS, AFTER PUBLISHED NOTICE AND PUBLIC HEARING ON _____, 202__, AS REQUIRED BY SECTION 31-12-108, C.R.S., THE CITY COUNCIL ADOPTED RESOLUTION NUMBER _____ (SERIES OF 202__), DETERMINING THAT THE ANNEXATION SATISFIED THE REQUIREMENTS OF SECTION 31-12-104 AND 105, C.R.S., AND THAT AN ANNEXATION ELECTION WAS NOT REQUIRED;
AND

WHEREAS, ON _____, 202__, THE CITY COUNCIL ADOPTED ORDINANCE NUMBER _____ (SERIES OF 202__), APPROVING AND ANNEXING THE GROOVER ANNEXATION TO THE CITY OF SALIDA.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO DOES HEREBY APPROVE AND ACCEPT THE GROOVER ANNEXATION DESCRIBED HEREIN; TO WIT, THE TERRITORY COMPRISING 0.65 ACRES, MORE OR LESS, AND BEING DESCRIBED AS FOLLOWS:

A tract of land located in the Northwest 1/4 of the Southeast 1/4 of Section 31, Township 50 North, Range 9 East of the New Mexico Principal Meridian in Chaffee County, Colorado, described as follows:
Beginning at a point on the north boundary of the said Northwest 1/4 Southeast 1/4 of Section 31, said point being marked, as are each of the tract corners, by a 5/8-inch rebar with a 1 1/2-inch aluminum cap stamped "LS 36575";
thence North 89°18'11" West along said north boundary 150.04 feet to a rebar and cap as described above;
thence South 00°13'23" West 147.44 feet to a point on the north boundary of Chaffee County Road No. 160, said point being marked by a rebar and cap as described above;
thence North 83°28'41" East along said northerly county road boundary, 151.11 feet to a rebar and cap as described above;
thence North 00°12'51" East 178.94 feet to the point of beginning.
Containing 0.65 Acre, more or less.

PROPERTY ADDRESS: 7285 County Road 160, Salida, CO

SUBJECT TO THE TERMS AND CONDITIONS OF THE ANNEXATION AGREEMENT RECORDED AT RECEPTION NO. _____ OF THE CHAFFEE COUNTY RECORDS.

CITY OF SALIDA APPROVAL:

APPROVED THIS ____ DAY OF _____, 202__.

BY: _____
MAYOR OF THE CITY OF SALIDA

ATTEST: _____
CITY CLERK

OWNERS:

DENEY G. GROOVER, III and LORITA R. GROOVER
7285 County Road 160
Salida, CO. 81201

OWNERS CERTIFICATE:

THIS IS TO CERTIFY THAT THE UNDERSIGNED, BEING THE OWNERS OF 100% OF THE PROPERTY DESCRIBED AND SHOWN HEREON DESIRE AND APPROVE OF THE ANNEXATION OF SAID PROPERTY TO THE CITY OF SALIDA.

DENEY G. GROOVER, III LORITA R. GROOVER

STATE OF COLORADO } 55
COUNTY OF CHAFFEE }

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 202__.

WITNESS MY HAND AND OFFICIAL SEAL

MY COMMISSION EXPIRES _____

NOTARY PUBLIC: _____
ADDRESS: _____

GROOVER ANNEXATION PLAT for a Tract in the NW 1/4 SE 1/4 OF SECTION 31, T 50 N, R 9 E, N.M.P.M. CHAFFEE COUNTY, COLORADO	
Job Number: J-22-175 DESIGNED: B.S.H. DRAWN BY: THOD CAD CHECKED: M.K.H. Field Book: S344 Page 10, TSC3 GPS	HENDERSON LAND SURVEYING CO., INC. 203 G STREET SALIDA, COLORADO DATE: 10/12/22 DRAWING NO. L-22-68



STAFF REPORT

MEETING DATE: February 28, 2023

AGENDA ITEM TITLE: Groover Annexation - Zoning Review

AGENDA SECTION: Public Hearing

REQUEST / BACKGROUND:

Following approval of the Groover Annexation of the .65 acre property into the City of Salida, applicant's Dewey and Lorita Groover have requested a designation of the Medium Density Residential (R-2) zone district. The area annexed must be brought under the municipality's zoning ordinance within 90 days from the effective date of the annexation ordinance.

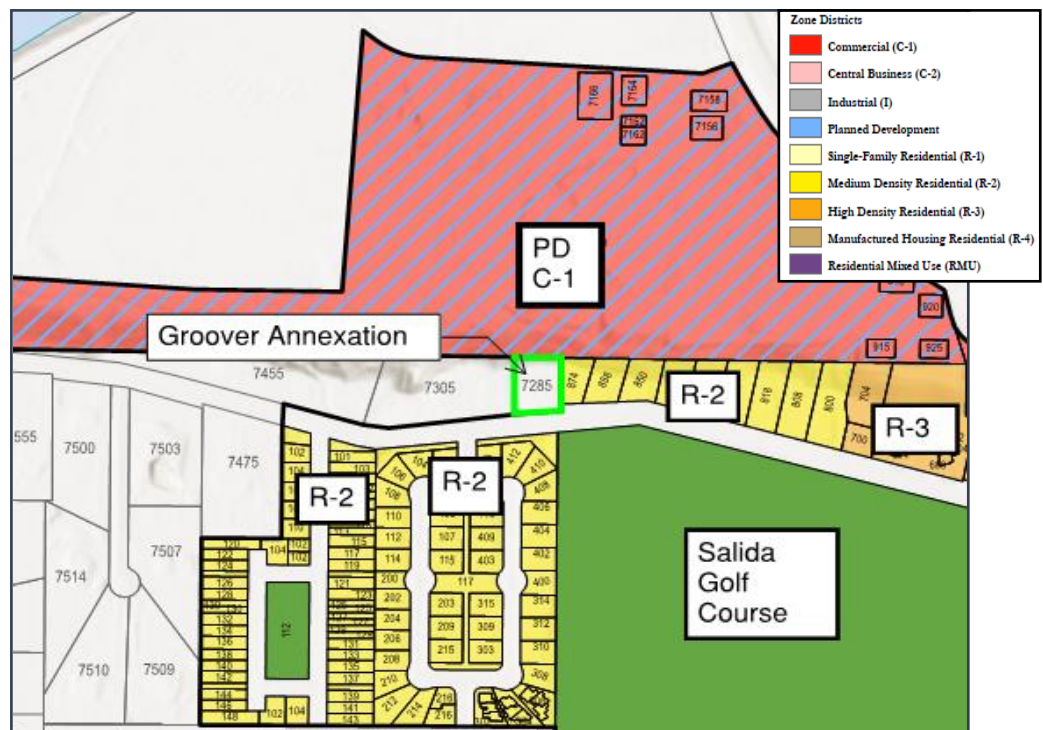
The property is located along County Road 160, as shown on the map below. A complete legal description is shown as exhibit A with the annexation application.

SURROUNDING LAND USE AND ZONING: The site is currently zoned RES (Residential Zone District) in Chaffee County. The properties immediately to the west remain in Chaffee County and are also zoned RES. The properties to the north and east are within the city limits.

The properties to the east and south are zoned Medium Density Residential (R-2) and the property to the north is the HRRMC campus that is zoned Commercial (C-1) with a planned development overlay.

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

1. **Consistent with Comprehensive Plan.**



The proposed amendment shall be consistent with the Comprehensive Plan.

- The Comprehensive Plan includes the goals that new projects should complement the neighborhood's mass and scale; be focused within the Municipal Services Area (MSA) and be developed at maximum densities to make the best use of available infrastructure.
 - The zoning of R-2 would be consistent with the zoning found in adjacent developments and would continue the regular pattern of zone district application.
2. **Consistency with Purpose of Zone District.** The proposed amendment shall be consistent with the purpose of the zone district to which the property is to be designated.
- Per the land use code, 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.
 - The parcel being annexed has a single-family residence and a detached garage. The applicant has indicated that in the future they will be constructing an Accessory Dwelling Unit (ADU) in order to provide housing for their daughter.
 - Staff supports the request to zone the subject property as Medium-Density Residential (R-2).
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 zoning classification of Medium Density (R-2) is consistent and compatible with the adjacent properties to the south and east of the property.
4. **Changed Conditions or Errors.** The applicant shall demonstrate that conditions affecting the subject parcel or the surrounding neighborhood have changed, or that due to incorrect assumptions or conclusions about the property, one (1) or more errors in the boundaries shown on the Official Zoning Map have occurred.
- The proposed zoning is occurring because of the requirement to zone the property when annexed into the City in accordance with Section 16-4-50 of the Land Use and Development Code.

STAFF RECOMMENDATION:

Staff recommends the Planning Commission recommend City Council approve the proposed zoning of the site as Medium Density Residential (R-2).

RECOMMENDED MOTION:

"I make a motion to recommend the City Council approve the proposed zoning of the Groover Annexation site as Medium Density Residential (R-2) Zone District, as it meets the review standards for zoning/rezoning."

**PUBLIC NOTICE
NOTICE OF PUBLIC HEARING BEFORE
THE PLANNING COMMISSION AND CITY
COUNCIL FOR THE CITY OF SALIDA
CONCERNING ANNEXATION AND ZONING
APPLICATIONS**

**TO ALL MEMBERS OF THE PUBLIC AND
INTERESTED PERSONS: PLEASE TAKE
NOTICE:** that on February 28, 2022 at or
about the hour of 6:00 p.m., a public hear-
ing 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 follow-
ing link: [https://attendee.gotowebinar.com/
rt/1909092342220683277](https://attendee.gotowebinar.com/rt/1909092342220683277)

The hearing is regarding applications for
Annexation and Zoning submitted by and on
behalf Dewey and Lorita Groover, for the prop-
erty located at 7285 County Road 160.

The City is currently considering a petition to
annex and zone the subject property into the
City. The general purpose of the application
is to consider the applicant's request to zone
the property Medium Density Residential (R-2).
Any recommendation by the Planning
Commission for the Annexation and Zoning
shall be forwarded to the City Council for
review and a public hearing scheduled for
April 04, 2023, at or about the hour of 6:00
p.m. at City Council Chambers and online at
the following link: [https://attendee.gotowebi-
nar.com/register/6382995264411204366](https://attendee.gotowebinar.com/register/6382995264411204366).

Interested persons are encouraged to attend
the public hearing. Further information on
the applications may be obtained from the
Community Development Department, (719)
530-2626.

*Please note that it is inappropriate to per-
sonally contact individual City Councilors or
Planning Commissioners, outside of the public
hearing, while an application is pending. Such
contact is considered ex parte communica-
tion 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 con-
cerns at the public meeting via the above
GoToWebinar link so your comments can be
made part of the record.

Published in The Mountain Mail February 10,
2023



GENERAL DEVELOPMENT APPLICATION

448 East First Street, Suite 112

Salida, CO 81201

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

Email: 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) <u>R-2 Zoning</u>
☐ Other: _____ |
|---|---|

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

A. Applicant Information

Name of Applicant: Dewey G. Groover III and Lorita R. Groover

Mailing Address: 7285 County Road 160, Salida, CO 81201

Telephone Number: Home (Priority) 719-539-2114 Dewey's Cell = 719-207-3725 FAX: _____

Email Address: dewabbylor@outlook.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: Groover Annexation

Street Address: 7285 County Road 160
see Groover Annexation Plat

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 Nov. 18, 2022

Signature of property owner Lorita R. Groover Date Nov. 18, 2022

Lorita R. Groover

November 18, 2022

Dear Kristi Jefferson, City of Salida, Senior Planner:

We are Lorita R. Groover and Dewey G. Groover III and are the owners of property located at 7285 County Road 160, Salida, CO 81201.

We are requesting annexation of our property into the City of Salida. We are requesting this annexation to have a zoning classification of Medium Density Residential (R-2).

Thank you for your consideration,


Lorita R. Groover


Dewey G. Groover III