



# PLANNING COMMISSION REGULAR MEETING

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

Monday, February 22, 2021 - 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. January 12, 2021** draft minutes

### UNSCHEDULED CITIZENS

### AMENDMENT(S) TO AGENDA

### PUBLIC HEARINGS

Public Hearings will follow the following procedure:

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

- 2. Mossman Conditional Use Application** - The request is for conditional use approval to conduct a home business (skin care business) within a primary structure single-family dwelling located in the Medium Density Residential (R-2) zone district at 747 G Street.

- 3. Weeks Ranches Minor Subdivision** - The request is for limited impact review approval to subdivide the parcel located at 901, 903 and 905 F Street into three (3) townhome lots. The property is located in the Medium Density Residential (R-2) zone district.

### 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

January 12, 2021 - 6:00 PM

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## MINUTES

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

Please register for the Planning Commission meeting:

<https://attendee.gotowebinar.com/register/7256115246685999119>

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

#### ROLL CALL

##### PRESENT

- Chairman Greg Follet
- Vice-Chair Francie Bomer
- Commissioner Dori Denning
- Commissioner Judith Dockery
- Commissioner Giff Kriebel
- Commissioner Doug Mendelson
- Commissioner Michelle Walker
- Commissioner-Alternate Suzanne Copping
- Commissioner-Alternate Dave Haynes

#### UNSCHEDULED CITIZENS

#### AMENDMENT(S) TO AGENDA

#### PUBLIC HEARINGS

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| D. Applicant’s Presentation (if applicable) | H. Commission Decision or Recommendation |

#### 1. Holman Court Planned Development and Major Subdivision:

The applicant, Holman Court, LLC, is requesting two actions related to a 1.72 ac. (74,780 s.f.) parcel just west of Holman Avenue. The property is described as: Lot 2 of the Ambrose Subdivision and is zoned Medium Density (R-2). The two requests are:

A. Major Impact Review to approve a Planned Development for the subject property to eliminate public street frontage requirements for 8 residential lots (and future divisible lots). The request also includes amendments to the maximum lot coverage for parking/access as well as minimum landscape area.

B. A Major Impact Review to approve an 8-lot major subdivision (and future divisible lots) off of the newly created Holman Court.

**A. Open Public hearing: 6:03 pm**

**B. Proof of Publication**

- C. Staff review of applications -Almquist** gave an overview of the major impact review application for the Holman Court Planned Development and stated that staff supports the request with six (6) recommended conditions.

**Almquist** gave an overview of the major impact review application for the Holman Court Major Subdivision and stated that staff supports the request with eight (8) recommended conditions, including one condition that the PD and subdivision be reduced to just 7 lots and that the private drive be platted separately from the lots instead of being created as an easement across all the lots.

**Walker** asked for clarification of future divisible lots. **Almquist** explained that the applicant will be constructing duplexes on each of the lots and in order to sell them as individual units a subdivision exemption duplex conversion is required. A duplex conversion will create a property line between the common walls of the duplex units.

**Copping** asked if this application is approved would a precedent be set. **Almquist** said no and explained that Planned Development Overlays are negotiated agreements for what could be done with a development site. A planned development overlay does not set a precedent because applicants apply for deviations from the underlying zone district for their particular request.

**Mendelson** stated that he thinks that developers should design their projects within the City code requirements.

- D. Applicant's presentation: Dave LaRochelle** was present and available to answer questions that the Commission may have. **Bomer** asked LaRochelle if he was intending on renting the affordable units or selling them. **LaRochelle** said that they will rent the affordable units. **Dockery** asked what the plan is for the affordable units if the development goes from 8 lots to 7 lots. **LaRochelle** said that they will have one affordable unit and pay the fee in lieu for the remainder of the units built.

**Kriebel** stated that if the owner rents the affordable unit then he should be required to pay the HOA fees for the unit not the leaser. **LaRochelle** said that he would pay the fees as the owner of the unit. **Almquist** explained that the HOA fees would be different if the units were sold and not rented. He suggested that the condition regarding HOA fees be amended to add "unless it were to be rented by the developer and in which case if it were ever to change hands or be sold after that point to an income-eligible buyer, the assessment would go away". If the deed-restricted units were ever to be sold, they would have to be sold at an affordable rate to somebody who qualified.

**Denning** asked if the proposed duplexes will be single story or two story. **LaRochelle** said that the units will be two-story about 25' to the top of the roof.

- E. Public Input: Chaffee County Director of Housing, Becky Gray** explained that she's been in discussions with the applicant regarding strategies around qualifying tenants to meet the income eligibility as well as the HOA dues. She encouraged the Commission to keep any of the HOA dues associated with the affordable units to just

the utilities. She stated that deed restrictions are tricky to manage and keep track of and having additional HOA fees that might change over time could add additional scrutiny and administrative costs.

**F. Close Public Hearing: 6:44 p.m.**

**G. Commission Discussion:** **Follet** opened Commissioners discussion. **Follet** stated that his concern is each lot owning a portion of the road, although it is a private road, in the future it could become a public road. He said that he likes the idea of eight lots with two affordable units but understands the need to reduce the number of lots and take the private road out of the lot areas. **Follet** asked about connectivity and **Almquist** explained that he had received a comment from a neighbor about the lack of pedestrian access between the Riverbend apartments and Highway 50. **Almquist** further explained that the City has an 8' shared use path planned for the west side of Holman Avenue.

**Bomer** stated that she likes the idea of having two affordable units for this property but doesn't like the idea of going outside the R-2 zone district requirements for parking and landscaping. She said when something is built on narrow lots landscaping is really important. **Bomer** agreed that condition #2 regarding the HOA fees needs to be amended for the Planned Development. She said that the owner of the affordable rental units should pay all of the HOA fees until such time as the units are sold and then it would revert back to the utilities only for the affordable units. **Bomer** stated that she is in favor of going with 7 lots instead of 8 lots to give each of the lots more green space.

**Almquist** clarified that the eight lot configuration has zero public street frontage. The seven lot configuration as proposed would have street frontage onto a private road. **Walker** asked if they would have to comply with architectural standards for a public street. **Almquist** stated that they do not have to meet the City street standards for a public road.

**Denning** stated that she agrees with everybody and said that as a City we are trying to increase density but we don't want to sacrifice the look and feel of a development to increase that density too much and she is in favor of the proposed seven lots instead of eight.

**Mendelson** said that the inclusionary housing requirement is at least 12 ½ percent and the developer could still build two affordable units on the seven lots. **Bomer** asked the applicant if he is willing to provide 2 affordable units with the seven lots. **LaRochelle** said that he hadn't figured out if he could provide 2 affordable units on seven lots but he thinks it could be doable instead of paying the fee in lieu for all units built after the first eight units are built. He said that he will provide the two affordable units within his development if the Commission recommend approval to the City Council.

## H. Commission Recommendations:

### Holman Court Planned Development motion:

A motion was made by **Vice-Chair Bomer** to recommend the City Council approve the Major Impact review – Holman Court Planned Development, subject to the conditions recommended by staff and amended in the following ways and **adding condition # 7:**

1. The applicant shall revise development plans and preliminary plat to show just 7 lots abutting a separate, platted private drive—each of which can meet all dimensional standards of the R-2 zone district—and, if possible, increase the width of the common open space area. Parking requirements for each lot can be satisfied along the private drive in front of each lot and/or at the rear of each building.
2. ~~Owners~~ **Occupants** of any deed-restricted affordable units within the homeowners association shall not be responsible for any assessments nor dues beyond those fairly-priced specifically for utilities, trash services, and the like.
3. Each lot shall have at minimum one tree located between the private drive and the front of the proposed units. In addition, the applicant will provide as many trees within the **common** open spaces of ~~Outlet 1~~ as will result in a total of at least 16 across the entire development site.
4. **Two affordable housing units shall be constructed in the seven lot proposal.** Both affordable units shall be built and receive certificate of occupancy (CO) prior to the tenth unit on the site receiving certificate of occupancy. ~~If the total number of units intended to be built within the PD is reduced below 16, then only one affordable unit shall receive CO (prior to the ninth unit) and the developer will have the choice of either building a second affordable unit next or paying the Inclusionary Housing fee-in-lieu for all units built beyond the affordable unit, prior to each receiving CO.~~
5. For any affordable unit(s) required to be built through the PD, the developer shall pay the applicable Inclusionary Housing fee-in-lieu for each unit built prior to receiving certificate of occupancy for those units. Once the required affordable unit(s) has received certificate of occupancy, those fees-in-lieu shall be returned to the developer. This shall be added as a plat note.
6. The applicant shall erect a visible barrier/fence [with entry point(s)] around the perimeter of the common open space area and provide reasonable facilities such as picnic tables, benches, children’s playground equipment, etc., to encourage the area’s use.

7. As required under Section 16-6-120(11), No residential façade elevation shall be repeated more than once every five (5) lots on the same side of the street.

The motion was seconded by Commissioner Dockery.

Voting Yea: Chairman Follet, Vice-Chair Bomer, Commissioner Denning, Commissioner Dockery, Commissioner Kriebel, Commissioner Mendelson, Commissioner Walker

### **Holman Major Subdivision motion:**

A motion was made by **Vice-Chair Bomer** to recommend the City Council approve the Major Impact review – Holman Court Major Subdivision, subject to the conditions recommended by staff and amended in the following ways:

1. Each lot shall have at minimum one tree located between the private drive and the front of the proposed units. In addition, the applicant will provide as many trees within the **common** open spaces of ~~Outlet 1~~ as will result in a total of at least 16 across the entire development site.
2. The applicant shall show the hydrant at the west end of the development equal with the end of the water main, prior to final approval. The bump out(s) shall be adjusted as needed to accommodate this adjustment.
3. The applicant shall show gas/electric and other “dry” utilities on the outside of the “wet” utilities, prior to final approval.
4. **Two affordable housing units shall be constructed in the seven lot proposal.** Both affordable units shall be built and receive certificate of occupancy (CO) prior to the tenth unit on the site receiving certificate of occupancy. ~~If the total number of units intended to be built within the PD is reduced below 16, then only one affordable unit shall receive CO (prior to the ninth unit) and the developer will have the choice of either building a second affordable unit next or paying the Inclusionary Housing fee in lieu for all units built beyond the affordable unit, prior to each receiving CO.~~
5. For any affordable unit(s) required to be built through the PD, the developer shall pay the applicable Inclusionary Housing fee-in-lieu for each unit built prior to receiving certificate of occupancy for those units. Once the required affordable unit(s) has received certificate of occupancy, those fees-in-lieu shall be returned to the developer. This shall be added as a plat note.
6. A plat note shall be added that states that “Fees-in-lieu for Open Space and for Fair Contributions to Schools shall be required prior to certificate of occupancy for all units.”
7. The construction plans shall be signed and stamped for final review.

8. After approval of a SIA, Owner to coordinate product submittals and preconstruction meeting with Public Works prior to initiation of work.

The motion was seconded by Commissioner Kriebel.

Voting Yea: Chairman Follet, Vice-Chair Bomer, Commissioner Denning, Commissioner Dockery, Commissioner Dockery, Commissioner Mendelson, Commissioner Walker

**COMMISSIONERS' COMMENTS:** City Attorney, Nina Williams gave an overview of quasi-judicial and Ex Parte Communications.

**ADJOURN:** With no further business to come before the Commission, the meeting adjourned at 7:47 p.m.



## STAFF REPORT

**MEETING DATE:** February 22, 2021

**AGENDA ITEM TITLE:** Mossman Conditional Use Application – 747 G Street

**AGENDA SECTION:** Public Hearing

**REQUEST:**

The request is for a conditional use to conduct a home business (skin care business) within a primary structure single-family dwelling located in a Medium Density Residential (R-2) zone district at 747 G Street. In an R-2 zone district, the proposed use is conditional.

**APPLICANT:**

The applicant is Peter Mossman, 747 G Street, Salida, CO 81201.

**LOCATION:**

The subject property is described as Lots 14, and 15, Block 91, Haskell’s Addition to the City of Salida, Chaffee County, Colorado. This property is also known as 747 G Street.

**PROCESS:**

Conditional Uses are those land uses which are generally compatible with the permitted uses in a zone district, but require site-specific review of their location, design, intensity, density, configuration, and operating characteristics, and which may require the imposition of appropriate conditions, in order to ensure compatibility of the use at a particular location and mitigate its potentially adverse impacts.



The Salida Municipal Code, Chapter 16, specifies that conditional uses be reviewed by the City of Salida Planning Commission at a public hearing after fifteen days public notice. The Planning Commission may make a decision to approve, approve with conditions, deny, or remand the application back to the applicant for modification.

At the time of conditional use approval, the Commission shall identify the time period for completion of the conditional use. In no case shall this time period exceed three (3) years from the date of approval.

**OBSERVATIONS:**

- 1. The property is located in the R-2 medium density residential zone district. Surrounding land uses are residential in character.
- 2. The property includes a single-family residence and two outdoor storage units along the alley.
- 3. The proposed conditional use is considered a home business, which is defined under the Land Use Code as, “the conduct of business, occupation or trade as an accessory use entirely within a residential building or accessory structure for gain or support, by residents of the dwelling and employees residing off-premises, which may serve patrons on the premises.”
- 4. The applicant is planning to conduct a skin care business within the primary residence on the property. The applicant would be the only employee and he would be working with one client at a time.
- 5. The applicant has stated that services will be only for one client at a time.
- 6. The applicant had a similar home business at home from approximately 2009 – 2011 and, as far as staff is aware, was in good standing with no known complaints from surrounding neighbors.

**REVIEW STANDARDS [Section 16-4-110(d)]:**

- 1. Consistency with Comprehensive Plan. The use shall be consistent with the City’s Comprehensive Plan.
  - The Comprehensive Plan does not specifically address home businesses but does discuss appropriate uses within different types of residential areas. The area the subject property is located within is considered medium-density residential. In the Salida Land Use Code, the purpose of the Medium-Density Residential (R-2) zone district, in addition to a variety of residential uses, is also to provide “... such supporting land uses as parks, schools, churches, *home occupations* or day care, *amongst other uses.*”
- 2. Conformance to Code. The use shall conform to all other applicable provisions of this Chapter, 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 IV.

An R-2 zone district allows for residential neighborhoods and supporting land uses. Currently there is a single family dwelling located on the lot. This existing structure meets the requirements of the R-2 zone district. The review standards for a home business are listed below:

- (1) Use Subordinate. The use of a dwelling for a home occupation or home business shall be clearly incidental and subordinate to its use for residential purposes and shall

not change its basic residential character. The use shall not exceed thirty percent (30%) of the total structure's square footage.

*Applicant's Response: 132 square foot room used as a treatment room.*

- The total square footage of the residence is 1242 sf, the use is approximately 11%, well below the allowable 30%. The applicant has not submitted a floor plan detailing where in the dwelling the business would take place, which will be required as part of the change of use building permit submitted to the County. The applicant will need to submit a floor plan showing where in the dwelling the business would take place and include that with the change of use building permit.

- (2) Activity Conducted Indoors. All on-site activities associated with a home occupation or home business shall be conducted indoors. Materials and equipment used in the home occupation or home business shall be stored in a building.

*Applicant's Response: All services will be conducted indoors.*

- This standard will be met.

- (3) Employment.
  - b. Home business. A home business shall be conducted by persons residing on the premises and no more than three (3) employees residing off-premises.

*Applicant's Response: I am the only resident in the house and the only worker with no employees.*

- This standard will be met.

- (3) Patrons. A home occupation shall not serve patrons on the premises. A home business may serve patrons on the premises, provided that all other standards of this Section are met.

*Applicant's Response: Patrons/Clients will be served one at a time, with ample time between for sanitation.*

- This standard will be met.

- (5) Parking. One (1) off-street parking space shall be required for each employee residing off-premises. These spaces shall be provided in addition to the parking required for the principal residential use of the property.

*Applicant's Response: My house sits on the corner of 8<sup>th</sup> and G. I have plenty of parking space.*

- The applicant technically has enough parking space accessible via the back of the property along 8<sup>th</sup> Street; however, as stated, the house is also on the corner of

8<sup>th</sup> and G with ample additional parking available along the curb for one client at a time. This standard will be met.

- (6) Sales. Incidental sale of supplies or products associated with the home occupation or home business shall be permitted on the premises. A home occupation or home business whose primary activity is retail sales shall be prohibited, except if the function of the home occupation or home business is catalogue sales. An appropriate sales tax license shall be obtained and maintained during the course of business.

*Applicant's Response: I have a valid sales tax license (for incidental sales).*

- This standard will be met.

- (7) Nuisance. A home occupation or home business shall not produce noise, electrical or magnetic interference, vibrations, heat, glare, odors, fumes, smoke, dust, traffic or parking demand, and shall not operate at such hours or in such a manner as to create a public nuisance, disturb neighbors or alter the residential character of the premises.

*Applicant's Response: Services will not cause a nuisance to neighbors and are limited to one client at a time.*

- This standard will be met.

- (8) Codes. The building shall comply with all applicable City building, fire and safety codes for the particular business.

*Applicant's Response: House is up to code. New electric in 2019.*

- The applicant will be required to submit a building permit for a change of use for this home business.

- (9) Advertising. No outdoor advertising of the home occupation or home business shall be permitted, except as provided in Table 16-L of this Chapter.

*Applicant's Response: There will be no advertising.*

- Signs in residential zones are limited to 9 square feet and may not be illuminated. No sign permit is required so long as the total amount of sign area on the site is less than 9 square feet.

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

- There will be off-street parking in the backyard that can accommodate both the required space for the residence as well as a customer parking space.

3. Use Appropriate and Compatible. The use shall be appropriate to its proposed location and be compatible with the character of neighboring uses, or enhance the mixture of complementary uses and activities in the immediate vicinity.
  - The use would be contained entirely within the primary residence and would not affect the neighbors. It is anticipated that the customers would arrive in the driveway or in the street adjacent to the property. By limiting the hours of operation and number of clientele that can be served, the Planning Commission can ensure that there will not be traffic or disturbance that is inappropriate to a residential neighborhood.
4. Traffic. The use shall not cause undue traffic congestion, dangerous traffic conditions or incompatible service delivery, parking or loading problems. Necessary mitigating measures shall be proposed by the applicant.
  - There are no parking restrictions on 8<sup>th</sup> Street or G Street. By serving only one client at a time, there should not be any negative impact on traffic in the area.
5. 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.
  - As discussed above, the home business should not cause any nuisances.
6. 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.
  - Adequate public facilities will be in place to serve the proposed use.
7. 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 adverse impacts to the environment are anticipated.

**AGENCY REVIEW COMMENTS:**

**Assistant Fire Chief, Kathy Rohrich:** No concerns.

**Police Chief, Russ Johnson:** No concerns.

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

**SUMMARY OF PUBLIC COMMENTS:**

All comments received by the time this report was completed were in support of conditional use approval. One neighbor did note that she preferred that the applicant not have any signage.

**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.

**RECOMMENDED FINDINGS:**

- 1. This application is consistent with the Comprehensive Plan, the Land Use Code and the surrounding neighborhood.
- 2. The applicable review criteria for a home business have been met with the recommended conditions of approval.
- 3. The applicable review criteria for all Conditional Use applications have been met.

**RECOMMENDED ACTION:**

Based on the above findings, staff recommends APPROVAL for the conditional use request to conduct a home business within the primary residence in a Medium Density Residential (R-2) zone district at 747 G Street, subject to the following conditions:

- 1. *Hours of operation of the business shall be limited to 10:00 a.m. – 7:00 p.m. daily.*
- 2. *The business shall not serve more than one customer at a time on the property.*
- 3. *The home business is approved for operation by the current applicant only and will not transfer with the property.*
- 4. *This conditional use approval expires in one (1) year from the date of its approval if the business operations have not begun.*
- 5. *The application will be reviewed in one (1) year if the city has received any complaints regarding operation of the business.*
- 6. *The applicant shall apply for a building permit for a change of use prior to operating any home business from this residence. The applicant will need to submit a floor plan showing where in the dwelling the business would take place and include that with the change of use.*
- 7. *Approval of this conditional use does not waive any permit requirements or licensing needed to operate this business.*

**RECOMMENDED MOTION:**

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

BECAUSE THIS APPLICATION IS FOR A CONDITIONAL USE, THE SALIDA PLANNING COMMISSION SHALL MAKE THE FINAL DECISION ON THIS APPLICATION. THE DECISION OF THE PLANNING COMMISSION MAY BE APPEALED WITHIN 15 DAYS OF THE DECISION BY AN AGGRIEVED PERSON AS SET FORTH IN SECTION 16-2-70 OF THE LAND USE CODE.

- Attachments: Proof of Publication
- Application
- Written Response
- Public Comments

**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, February 22, 2021 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/rt/1909092342220683277>

The hearing is regarding a Limited Impact Review application submitted by Peter Mossman for approval of a home business (skin care business--"Mr. Beauty Skincare") at 747 G Street (also known as known as Lots 14 and 15, Block 91, Haskell's Addition to the City of Salida, Chaffee County, Colorado). The property is zoned Medium-Density Residential (R-2).

Interested individuals may make comments during the public hearing via GoToWebinar at the above link. Comments may also be submitted via email ahead of time to bill.almquist@cityofsalida.com by 12:00pm on February 22nd.

Approval of the limited impact review application shall constitute authorization to proceed with the home business. Further information on the application may be obtained from the Community Development Department by calling (719) 530-2684.

\*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. To review the City's social distancing policy and other regulations, please visit: <https://cityofsalida.com/administration/page/covid-19-information>

Published in The Mountain Mail February 5, 2021



# GENERAL DEVELOPMENT APPLICATION

448 East First Street, Suite 112  
Salida, CO 81201

Phone: 719-530-2626 Fax: 719-539-5271  
Email: [planning@cityofsalida.com](mailto:planning@cityofsalida.com)

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

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

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

### A. Applicant Information

Name of Applicant: PETER C. MOSSMAN

Mailing Address: 747 G ST SALIDA, CO 81201

Telephone Number: 719-221-4904 FAX: \_\_\_\_\_

Email Address: mr.beauty skincare@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: Mr. Beauty Skincare - Home Business

Street Address: 747 G ST Salida, CO 81201

Legal Description: Lots 14-15 Block 91 Subdivision Haskells addition (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 \_\_\_\_\_



# LIMITED IMPACT & MAJOR IMPACT SUBMITTAL REQUIREMENTS

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

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

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

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

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

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

- 1. A General Development Agreement completed.
- 2. A copy of a current survey or the duly approved and recorded subdivision plat covering the subject lots where the proposal is for development on previously subdivided or platted lots;
- 3. A brief written description of the proposed development signed by the applicant;
- 4. Special Fee and Cost Reimbursement Agreement completed.
- 5. Public Notice.
  - a) List. A list shall be submitted by the applicant to the city of adjoining property owners' names and addresses. A property owner is considered adjoining if it is within 175 feet of the subject property regardless of public ways. The list shall be created using the current Chaffee County tax records.
  - b) Postage Paid Envelopes. Each name on the list shall be written on a postage-paid envelope. Postage is required for up to one ounce. Return Address shall be: City of Salida, 448 E. First Street, Suite 112, Salida, CO 81201.
  - c) Applicant is responsible for posting the property and submittal of notarized affidavits for proof of posting the public notice.

7. Developments involving construction shall provide the following information:

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

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

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

c. Parking spaces;

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

e. Drainage improvements and drainage easements;

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

g. Any other improvements;

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

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

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

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

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

c. Profiles for municipal water lines; and

d. Street plans and profiles.

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

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

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

10. Any other information which the Administrator determines is necessary to determine whether the proposed development complies with this Code, including but not limited to the following:

(i) A tabular summary of the development proposal, which identifies the total proposed development area in acres, with a breakdown of the percentages and amounts devoted to specific land uses; total number and type of proposed residential units; total number of square feet of proposed nonresidential space; number of proposed lots; and sufficient information to demonstrate that the plat conforms with all applicable dimensional standards and off-street parking requirements.

(ii) A description of those soil characteristics of the site which would have a significant influence on the proposed use of the land, with supporting soil maps, soil logs and classifications sufficient to enable evaluation of soil suitability for development purposes. Data furnished by the USDA Natural Resource Conservation Service or a licensed engineer shall be used. The data shall include the shrink/swell potential of the soils, the groundwater levels and the resulting foundation requirements. Additional data may be required by the City if deemed to be warranted due to unusual site conditions.

(iii) A report on the geologic characteristics of the area, including any potential natural or man-made hazards which would have a significant influence on the proposed use of the land, including but not limited to hazards from steep or unstable slopes, rockfall, faults, ground subsidence or radiation, a determination of what effect such factors would have, and proposed corrective or protective measures.

(iv) Engineering specifications for any improvements.

(v) A plan for erosion and sediment control, stabilization and revegetation.

(vi) A traffic analysis prepared by a qualified expert, including projections of traffic volumes to be generated by the development and traffic flow patterns, to determine the impacts of a proposed development on surrounding City streets and to evaluate the need for road improvements to be made.

(vii) A storm drainage analysis consisting of the following:

(a) A layout map (which may be combined with the topographic map) showing the method of moving storm sewer water through the subdivision shall be provided. The map shall also show runoff concentrations in acres of drainage area on each street entering each intersection. Flow arrows shall clearly show the complete runoff flow pattern at each intersection. The location, size and grades of culverts, drain inlets and storm drainage sewers shall be shown, as applicable.

(b) The applicant shall demonstrate the adequacy of drainage outlets by plan, cross-section and/or notes and explain how diverted stormwater will be handled after it leaves the subdivision. Details for ditches and culverts shall be submitted, as applicable.

(c) The projected quantity of stormwater entering the subdivision naturally from areas outside of subdivision and the quantities of flow at each pickup point shall be calculated.

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

gallons of water needed on an average day and at peak time, and the resulting amounts of sewage to be treated shall be expressed in gallons per day.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

See sheet.

**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.

See sheet.

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

See sheet.

**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.

See sheet.

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.

See sheet.

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.

See sheet.

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.

See sheet.

Peter Mossman Home Occupation and Home Business Application for 747 G St.

- 1) 132 square foot room used as treatment room. *pm*
- 2) All services will be conducted indoors. *pm*
- 3) I am the only resident in the house and the only worker with no employees. *pm*
- 4) Patrons/Clients will be served one at a time, with ample time between for sanitation. *pm*
- 5) My house sits on the corner of 8<sup>th</sup> and G. I have plenty of parking space. *pm*
- 6) I have a valid sales tax license. *pm*
- 7) Services will not cause a nuisance to neighbors and are limited to one client at a time. *pm*
- 8) House is up to code. New electric in 2019. *pm*
- 9) There will be no advertising. *pm*



Bill Almquist <bill.almquist@cityofsalida.com>

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## 747 G St Limited Impact Review

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Jane Jolley <jolley.jane@gmail.com>  
To: bill.almquist@cityofsalida.com

Tue, Feb 9, 2021 at 8:57 AM

To the Salida Planning Commission:

My husband and I live two doors down from Peter Mossman at 811 G. St. Peter is an excellent neighbor and giving member of the community. I see no reason why his small business would have any negative impact on the neighborhood. His home is on a corner with plenty of parking. His business would not generate any noise or pollution. I say we support small businesses in Salida and approve his request.

Sincerely,

Jane and Martin Jolley  
811 G St  
Salida CO  
816-786-4695



Bill Almquist <bill.almquist@cityofsalida.com>

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**Approve of mr beauty skincare request for permit.**

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**Mel Baker** <melandcece@charter.net>  
To: bill.almquist@cityofsalida.com

Mon, Feb 8, 2021 at 1:54 PM

Mel Baker 730 g. St

*Sent from my Verizon Motorola Smartphone*



Bill Almquist <bill.almquist@cityofsalida.com>

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**Peter Mossman**

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**Elizabeth Little** <etandpol88@gmail.com>  
To: bill.almquist@cityofsalida.com

Thu, Feb 18, 2021 at 7:29 AM

Mr Almquist,

I live at 805 G St and have no objections to Peter Mossman conducting his home business, Mr. Beauty Skincare, from his home at 747 G St. I would prefer that he does not place signage in front of his residence.

Elizabeth Little  
337-256-2418  
--

Elizabeth Little

Sent from my new email address - [etandpol88@gmail.com](mailto:etandpol88@gmail.com)



## STAFF REPORT

**MEETING DATE:** February 22, 2021

**AGENDA ITEM TITLE:** Weeks Ranches Minor Subdivision – Limited Impact Review

**AGENDA SECTION:** Public Hearing

**REQUEST:**

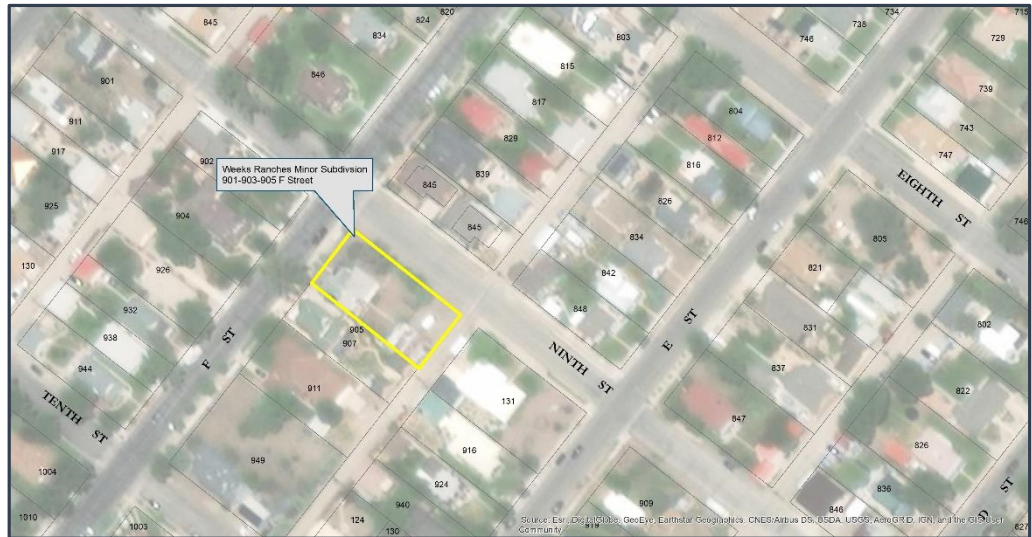
The request is for limited impact review approval to subdivide the parcel located at 901, 903 and 905 F Street into three (3) townhome lots. The property is located in the Medium Density Residential (R-2) zone district.

**APPLICANT:**

The applicant is Low Pass Properties, LLC, 1208 C Street, Salida, CO 81201.

**LOCATION:**

The subject property is known as the Weeks Ranches Minor subdivision and is located at 901, 903 and 905 F Street, Salida, CO 81201 and is described as: Lots 24, 25 and 26, Block No. 108, Haskells Addition to the 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 property is zoned Medium Density Residential (R-2) and is not within any overlays.

2) This property had a single-family residence on the original 3 lots. The residence was removed April 3, 2020 and the applicants built three (3) attached units on the lots instead of three separate residences on each of the lots.



Residence that was removed

3) The minor subdivision is required because the applicants are reconfiguring the lot lines.

4) The proposed subdivision will create three (3) lots with three (3) attached units. The R-2 zoning allows for one residential unit per 3,125 square feet of lot area. Each lot meets the density requirement, Lot 24-A is 3,728.2 square feet, Lot 25-A is 3,778.8 square feet, and Lot 26-A is 3729.4 square feet.

5) Construction of the units is near completion and the Chaffee County Building Department has verified the construction of the 2-hour firewalls between the units.



6) The applicant has submitted a party-wall agreement that must be recorded prior to recording of the subdivision plat.

7) Each unit has separate utilities and are connected to water and sewer and is metered individually. There is a plat note regarding utility easements for the newly created lots.

**REVIEW AGENCY COMMENTS:** The Public Works Director, Fire 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:** The applicant originally paid the multi-family rate for the system development fees. With this subdivision they are creating single-family units and are required to pay the single-family system development fees. Prior to issuance of the certificate of occupancy the

applicant will be required to pay the remainder of water and sewer system development fees at the single-family rate.

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

**Public Works Director, David Lady:** Sidewalks to be installed on north side. Already discussed with the applicant and in process. No other concerns.

**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 medium density residential. Infill, redevelopment and maximizing the density allowances are encouraged in Chapter 3, Land Use and Growth.
- New development should complement the neighborhood’s mass and scale. The townhomes are two-story and compatible to the surrounding land uses.

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-2 Medium Density Residential and must meet the zone district standards when the attached units are completed.
- New development must comply with the zone district standards. In the R-2 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 April 20, 2020.
- The standards have been met with the proposed attached units. The minimum lot size in the R-2 zone district is 3,125 square feet for attached units and the proposed lots meet the standards with the construction of the townhomes.
- The off-street parking requirement is 1 space for the first unit and 1.5 spaces for each additional unit. The total off-street parking spaces required for this project is 4 spaces which will be met with the detached garages and parking next to the garage.
- Attached units require 20’ of Lot frontage. 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 adequate to carry anticipated traffic generated by future development of this subdivision.
    - The applicant has installed sidewalks along the Ninth Street frontage of the property.
  - 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 proposed development. Each unit has separate utilities.
  - 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. Prior to the construction of the townhomes the property had an existing single-family residence. A payment for the fee in lieu of providing open space is required for the 2 additional units built.

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 not follow the traditional City grid pattern but 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.** This standard applies to residential subdivisions of five lots or more.

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

- This subdivision has three (3) attached units. Prior to the construction of the townhomes the property had an existing single-family residence. A payment for the fee in lieu is required for the 2 additional units.

13. **Inclusionary Housing.** 16-13-20 Minor and major subdivisions; and condominium plats of five (5) units or greater must meet the requirements of Article XIII. Inclusionary Housing.

- Approval of the minor subdivision carries the responsibility to meet the affordable housing requirements. Therefore the fees-in-lieu have to be paid for the two (2) additional units created. The fees-in-lieu for a minor subdivision is the lessor of \$7,874, or \$3.94 per habitable square foot of each unit built within the subdivision.
  - 901 F Street is 1522 square feet
  - 903 F Street is 1592 square feet
  - 905 F Street is 1522 square feet
- The lessor of the fees-in-lieu for this subdivision require the \$3.94 per habitable square feet since all of the units are less than 2,000 square feet. Staff is recommending that the fees in lieu be paid for one of the end units (1,522 x \$3.94=\$5,996.68) and the middle unit which is the larger of the three units (1,592 x \$3.94=\$6,272.48).

**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 conditions listed below.

**RECOMMENDED MOTION: “I make a motion to approve the Weeks Ranches Minor Subdivision as it meets the review standards for a subdivision, subject to the following conditions:**

**Prior to recording the Subdivision Plat:**

1. That the Fair Contributions to Public School sites be paid for the two (2) additional units built on this property.

2. That the Open Space fees be paid for the two (2) additional units built on this property.
3. That the Inclusionary Housing fee in lieu be paid, as recommended, for the two (2) additional units built on this property.

➤ The lessor of the fees-in-lieu for this subdivision require the \$3.94 per habitable square feet since all of the units are less than 2,000 square feet. Staff is recommending that the fees in lieu be paid for one of the end units (1,522 x \$3.94=\$5,996.68) and the middle unit which is the larger of the three units (1,592 x \$3.94=\$6,272.48).

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

Attachments:

1. Proof of Publication
2. Application for Minor Subdivision
3. Weeks Ranches Minor Subdivision Plat



Low Pass Properties, LLC  
1208 C Street  
Salida, CO 81201

April 30, 2020

RE: Administrative Review Decision 905 F Street

Dear Erik and Danny,

The intent of this letter is to notify you of the administrative review decision regarding the proposed 3 unit development located in the Medium Density (“R-2”) zone district at the properties stated above. In accordance with Table 16-D Schedule of Uses this 3 unit development in the R-2 zone district is considered an Administrative Review.

As we discussed during your pre-application meeting if you are intending on subdividing the property into individual units and lots that will require a Minor Subdivision and will trigger the Limited Impact review once an application has been received. If you decide to condominiumize the property that will trigger an administrative review of the condominium plat.

After reviewing your application, all necessary materials have been submitted for this to be a complete Administrative Review application. The proposed use is consistent with the surrounding land uses in the neighborhood. The following conditions are required for the administrative review approval:

**Administrative Approval Conditions**

1. All new exterior lighting must be fully shielded per the requirements of Section 16-8-100 of the Salida Municipal Code.
2. A minimum of 2 (two) trees for each unit shall be planted that meet the requirements of Section 16-8-90 Landscaping Standards shall be installed prior to the issuance of CO for any of the units. Existing trees will count toward this requirement.
3. The remaining balance for system development fees for water and sewer shall be paid for each unit prior to CO.
4. Any party wall agreements or utility easements shall be reviewed and recorded prior to CO.
5. An application for the minor subdivision shall be submitted and approved by the Planning Commission for the creation of separate units. Or an application for an administrative review and approval for condominium units.

Please do not hesitate to contact me regarding any of these conditions.

Sincerely,



Kristi Jefferson  
Planner

**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, February 22, 2021 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/rt/1909092342220683277>

The hearing is regarding a Limited Impact Review application submitted by Low Pass Properties (represented by Erik Young) for approval of a minor subdivision to subdivide the parcel known as 901, 903 and 905 F Street, into three attached lots.

Interested individuals may make comments during the public hearing via GoToWebinar at the above link. Comments may also be submitted via email ahead of time to [kristi.jefferson@cityofsalida.com](mailto:kristi.jefferson@cityofsalida.com) by 12:00pm on February 22nd.

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) 530-2626. To review the City's social distancing policy and other regulations, please visit: <https://cityofsalida.com/administration/page/covid-19-information>

\*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 5, 2021



# GENERAL DEVELOPMENT APPLICATION

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

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

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

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

### A. Applicant Information

Name of Applicant: Low Pass Properties, LLC

Mailing Address: 1208 C St., Salida, CO 81201

Telephone Number: 719-539-6621 FAX: 719-539-7363

Email Address: eyoung@sycpa.net

Power of Attorney/ Authorized Representative: Erik Young  
 (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: Weeks Ranches Minor Subdivision

Street Address: 901, 903, 905 F St., Salida, CO 81201

Legal Description: Lot 24,25,26 Block 108 Subdivision Haskell's (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 1/27/2021

Signature of property owner  Date 1/27/2021

Low Pass Properties, LLC  
1208 C St  
Salida, CO 81201

RE: Weeks Ranch Minor Track Subdivision  
901,903,905 F Street  
Salida, CO 81201

The Weeks Ranches Minor Track Subdivision, located at the corner of 9<sup>th</sup> and F Street, Salida CO is due to a small adjustment to the lot lines in order to accommodate the developed triplex.



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Danny J. Stotler  
Member

