



PLANNING COMMISSION REGULAR MEETING

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

Monday, October 26, 2020 - 6:00 PM

Please register for the Planning Commission Regular Meeting:

<https://attendee.gotowebinar.com/rt/1909092342220683277>

AGENDA

CALL TO ORDER BY CHAIRMAN – 6:00 PM

ROLL CALL

APPROVAL OF THE MINUTES

1. September 28, 2020 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. **River Park Place Minor Subdivision** - The request is for a limited impact review for a minor subdivision to subdivide an 18,000 square foot parcel located at 314 E. Sackett Avenue into two lots of approximately 9,000 square feet each. The subject site is zoned Commercial (C-1).

NEW BUSINESS

COMMISSIONERS' COMMENTS

ADJOURN

Individuals with disabilities needing auxiliary aid(s) may request assistance by contacting the Community Development Department at 448 E. 1st Street, Ste. 112, Salida, CO 81201, Ph.719-530-2626 at least 48 hours in advance.

****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 Community Development Department at 448 E. 1st Street, Ste. 112, Salida, CO 81201, Ph.719-530-2626 at least 48 hours in advance.

MEETING DATE: Monday, September 28, 2020
MEETING TIME: 6:00 PM
MEETING LOCATION: City Council Chambers, 448 E. First Street, Suite 190, Salida, CO

Present: Follet, Bomer, Denning, Kriebel, Walker, Dockery, Van Nimwegen, Jefferson,

Absent: Mendelson, Almquist

AGENDA SECTION:

I. CALL TO ORDER BY Follet: - 6:05 PM

II. ROLL CALL:

III. APPROVAL OF THE MINUTES – June 22, 2020– Denning made a motion to approve the minutes as written. **Kriebel** seconded the motion. All were in favor and the motion carried.

IV. UNSCHEDULED CITIZENS – None

V. AMENDMENTS TO AGENDA - None

VI. PUBLIC HEARINGS –

1. **Tres Litros Conditional Use Application–** The applicant is requesting conditional use approval for a downtown street patio to be placed on E Street in front of Tres Litros Beer Company located at 118 N. E Street. The conditional use is subject to the review standards of Section 16-4-190 (r) of the Salida Municipal Code.

A. Open Public Hearing: 6:07 PM

B. Staff Review of Application – Van Nimwegen gave an overview of the application and stated that staff supports the request with six (6) conditions.

Kriebel asked if the City was planning on doing the curb improvements whether the patio is approved or not and **Van Nimwegen** said yes the improvements are on Public Works list of projects to be completed downtown. **Bomer** asked for clarification on the width of the proposed deck. **Van Nimwegen** explained that the proposed width is 9' but will only be 8' in the roadway as required by code.

C. Applicant's Presentation: Property owner, Jonas Harlow, was available to answer questions.

D. Public Input- Patrick Regan, 214 E. First Street, voiced his concerns regarding noise and parking. **Dan Slous, 115 N. E Street property owner,** was concerned the patio would block the street but since the street will not be blocked he is fine with the request.

E. Closed Public Hearing – 6:54 PM

F. Commission Discussion –Follet opened the Commission discussion.

- **Bomer** suggested that staff add a condition requiring that a minimum of six feet of clearance on the sidewalk for pedestrians.
- **Kriebel** stated that if the sidewalk improvements were made whether the patio went in or not, allowing the patio would essentially take away a parking space.
- **Denning** voiced her concerns with the proposed hours of operation of the patio and she agreed with Kriebel regarding the loss of a potential parking space. She suggested that the applicant pay the fee in lieu of parking for one space.
- **Walker** asked for clarification on the zoning and overlays.

G. Commission Recommendation: A motion was made by **Bomer** to approve the conditional use application subject to the six (6) conditions recommended by staff and adding the following two (2) conditions:

7. Applicant shall provide a parking space on-site or pay the appropriate in-lieu fee for one (1) parking space.
8. A minimum of six (6) feet of sidewalk shall remain clear of obstructions between building and patio.

Kriebel seconded the motion.

Denning made a motion to amend the original motion changing the hours of operation for the patio. She motioned that the closing time for the patio be 9:00 pm on weekdays and 10:00 pm on weekends. **Walker** seconded the amendment. **Follet, Bomer, Kriebel** and **Dockery** voted against and **Denning** and **Walker** voted for the amendment. With four (4) nay votes and two (2) Yea votes the amendment failed.

Voting Yea on the original motion with additional conditions: **Follet, Bomer, Denning, Dockery, Kriebel, Walker.**

VIII. UNFINISHED BUSINESS-

IX. NEW BUSINESS- None

X. COMMISSIONER'S COMMENTS-

XI. ADJOURN: With no further business to come before the Commission, the meeting adjourned at 7:21 pm.



STAFF REPORT

MEETING DATE: October 26, 2020

AGENDA ITEM TITLE: River Park Place Minor Subdivision – Limited Impact Review

STAFF: Glen Van Nimwegen, Community Development Director

REQUEST:

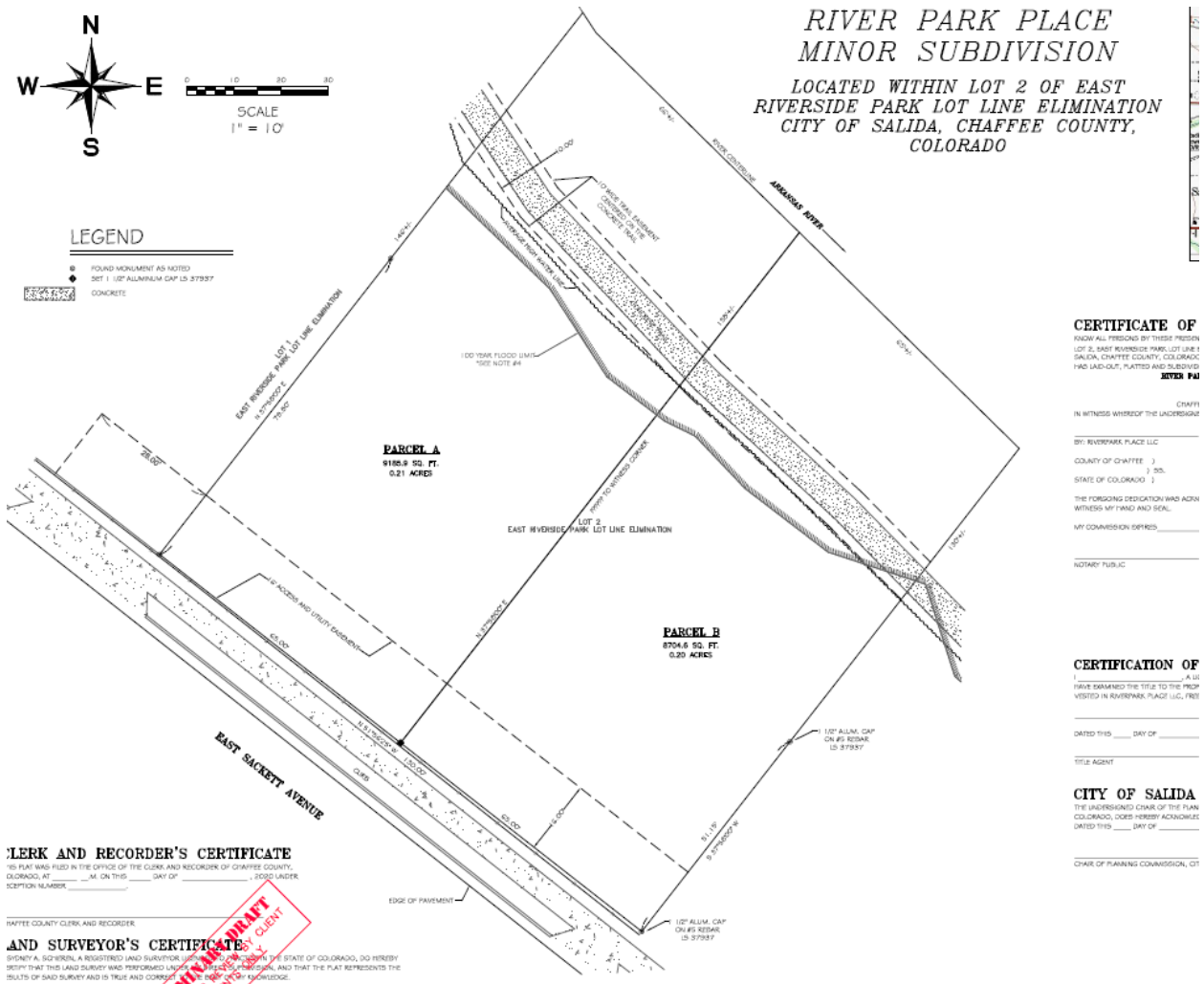
The request is for a limited impact review for a minor subdivision to subdivide an 18,000 square foot parcel located at 314 E. Sackett Avenue into two lots of approximately 9,000 square feet each. The subject site is zoned Commercial (C-1).

APPLICANT:

Walt Harder representing Riverpark Place LLC.

LOCATION:





3. Proposed River Park Place Minor Subdivision (Split of Lot 2)

In the proposed configuration of the River Park Place Minor Subdivision, the C-1 zoning would allow up to three units to be constructed on each lot. However, at this time the applicant intends to build a duplex on Parcel A and sell Parcel B.

REVIEW AGENCY COMMENTS:

Staff referred the application to the Public Works Director, Fire Chief, Utilities Department and the various utility companies. The following comments were received in response to this request.

Public Works: “No issues.” David Lady, Public Works Director

Fire Department: “Fire Department has no concerns at this time.” Kathy Rohrich, Fire Marshal

Police Department: “I have reviewed the plans that have been submitted and have no concerns at this time.” Russ Johnson, Police Chief

Public Service Company of Colorado (Xcel Energy Contractor): Tim Butler: “PSCo does not have any issues with this lot division due to the specific location of this project.”

Xcel Energy: Ken Davis, Network Implementation Engineer II: “I see no issues with the plan. Looks to have a 10’ utilities easement in the front of the property which would work for us.”

Atmos Energy: Dan Higgins: “Atmos has no comment on this one.”

Salida Utilities: Renee Thonoff, Staff Accountant: “Currently there is one water and one sewer tap on this property. Should the subdivision go through one of the lots will have to pay system development fees upon development.” System development fees are currently \$8,512 for water and \$5,206 for sewer per unit.

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.
 - Infill, redevelopment and maximizing the density allowances are encouraged in Chapter 3, Land Use and Growth. The proposed minor subdivision creates two lots that are compatible in size with other lots in the neighborhood.
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 site is zoned C-1 and the ultimate development within the property will have to conform to the Salida Land Use and Development Code.
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.
 - Sackett Street is existing.
 - b. Utilities. Existing and proposed utility services shall be suitable and adequate to meet the needs of the proposed subdivision.
 - Sackett Street includes a six inch water main and 12 inch sewer main in front of the lots.
 - 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 are no 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.
 - The parcel and street are part of the original town site. The site has been previously graded.
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 100 year floodplain follows the rear one-third of the lots, 0 to 10 feet from the public river trail. Any development within the floodplain will be reviewed and approved by the Floodplain Administrator.
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.
 - There are adequate streets to serve future re-subdivision of the parcels.
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 request for the minor subdivision requires open space fees-in-lieu which are \$2,000 per condominium unit or \$3,000 per single-family or duplex unit. Fees are collected at the time of issuing a building permit.
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.

- 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.
- c. Right angles. Side lot lines shall be approximately at right angles or radial to street lines.
- 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.
- e. "T" intersections. The building area of lots shall not face directly into the oncoming traffic of an intersecting street of a "T" intersection.
- f. Solar energy. This standard recommends lots be laid out so the long axis of the lot is oriented east-west to reduce the chance of blocking solar access for adjacent properties. In this case the lot alignment is dictated by the alignment of Sackett Street.
 - The proposed minor subdivision meets all of these criteria.

11. Architecture.

- This criteria of the subdivision requirements describes necessary architectural diversity when there are five or more lots. Therefore it does not apply to the proposed two lot subdivision.

12. Codes. The subdivision shall comply with all applicable City building, fire and safety codes for the proposed development.

- Development within the project will meet the above codes.

13. Inclusionary Housing. 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 one affordable unit has to be built; or fees-in-lieu have to be paid for each unit at the time of building permit issuance. 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.

16-6-140. Fair Contributions for Public School Sites. The Fair Contribution for Public School Sites fee will be required for the homes built within the River Park Place Minor Subdivision. Currently the fee is \$444.66 per unit.

STAFF RECOMMENDATION:

Based on the analysis of the Subdivision Review Standards described above, staff recommends the Commission APPROVE the River Park Place Minor Subdivision, subject to the following conditions of approval:

1. Prior to recording the River Park Place Minor Subdivision, it shall be amended by adding the following notes:
 - a. As required under Section 16.6.140 of the Salida Municipal Code, a payment in lieu of land dedication for Fair Contributions for Public School Sites shall be paid by prior to issuance of a building permit for any new residence constructed.
 - b. As required under Section 16-6-120(8), Parks, Trails and Open Space of the Salida Municipal Code, a fee in lieu shall be provided for open space prior to the issuance of a building permit for any new residence constructed.
 - c. As required under Section 16-13-40(b), Inclusionary Housing, a fee in lieu of providing affordable housing shall be provided prior to issuance of a building permit for each principal residence constructed within the subdivision.
2. A Floodplain Development Permit (FDP) through the Special Flood Hazard Area (SFHA) is required for any and all development and/or grading within the SFHA, or 100 year floodplain. The FDP shall meet the permit procedures set forth in Section 16-11-150 of the Salida Municipal Code.

RECOMMENDED MOTION:

“I Move to approve the River Park Place Minor Subdivision with the conditions recommended by staff.”

Attachments:

- Minor Subdivision Application
- River Park Place Minor Subdivision
- Published Notice



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

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

A. Applicant Information

Name of Applicant: Walt Harder

Mailing Address: 130 W. 2nd, Salida 81201

Telephone Number: 7192215000 FAX: _____

Email Address: walt@hred.co

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: RiverPark Place

Street Address: 314 E. Sackett

Legal Description: Lot _____ Block _____ Subdivision _____ (attach description)

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

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

Signature of applicant/agent _____ Date _____

Signature of property owner _____ Date _____

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.
 No change to current use is proposed.

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.

 No changes
- b. **Site Development Standards.** The parking, landscaping, sign and improvements standards.

 Unchanged

3. Use Appropriate and Compatible. The use shall be appropriate to its proposed location and be compatible with the character of neighboring uses, or enhance the mixture of complementary uses and activities in the immediate vicinity.
 No change

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

No change

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

No change

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

No change

https://www.themountainmail.com/legals/article_8209887a-09ee-11eb-ac66-e3630a3b6b41.html

PUBLIC NOTICE

Oct 9, 2020

PUBLIC NOTICE

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

TO ALL MEMBERS OF THE PUBLIC AND INTERESTED PERSONS: PLEASE TAKE NOTICE that on Monday, October 26, 2020 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>

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The hearing is regarding a limited impact review for the proposed River Park Place Minor Subdivision located at 314 E. Sackett Avenue. The applicant, Riverpark Place LLC wishes to split the roughly 18,000 square foot lot into two lots of approximately 9,000 square feet each. The site is zoned C-1, Commercial District.

Interested individuals may make comments during the public hearing in person (abiding by social distancing standards) or via GoToWebinar at the above link. Comments may also be submitted via email ahead of the meeting to glen.vannimwegen@cityofsalida.com by 12:00 p.m. on October 26. Further information on the application may be obtained from the Community Development Department by calling (719) 530-2631. To review the City's social distancing policy and other regulations, please visit: <https://cityofsalida.com/covid-19info/>

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