EST. 1880

448 E. 1st Street, Room 190 Salida, Colorado 81201 1880 November 21, 2023 - 6:00 PM

AGENDA

Please register for Regular City Council Meeting
https://attendee.gotowebinar.com/register/6382995264411204366
After registering, you will receive a confirmation email containing information about joining the webinar.

To watch live

meetings: https://c.streamhoster.com/embed/media/W6sdC9/xAIIQfSsmmO/vpfQhcsApYv_5?preview=1

CALL TO ORDER

Pledge of Allegiance

Swear in Elected Officials

Roll Call

Appointment of Mayor Pro Tem

Civility Invocation

1. Civility Invocation

CONSENT AGENDA

- 2. Approve Agenda
- 3. Approve November 7, 2023 Minutes
- 4. Approve Final Settlement for the 2022 Street Reconstruction Project
- 5. New Years Day 5K Amplified Sound Permit

CITIZEN COMMENT-Three (3) Minute Time Limit

UNFINISHED BUSINESS / ACTION ITEMS

- Ordinance 2023-14 AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO AMENDING CHAPTER 13 OF THE SALIDA MUNICIPAL CODE, ADDING A NEW SECTION 13-2-310, REGARDING VARIANCE FOR PRIVATE WATER SUPPLY, FINAL READING AND PUBLIC HEARING
- Ordinance 2023-15 AN ORDINANCE OF THE CITY COUNCIL FORTHE CITY OF SALIDA, COLORADO, AMENDING THE CITY CODE TO ADD ARTICLE XVIII TO CHAPTER 2 ENTITLED SUSTAINABILITY COMMITTEE TO ESTABLISH THE COMMITTEE AS AN OFFICIAL ADVISORY BODY WITHIN THE SALIDA MUNICIPAL CODE, FINAL READING AND PUBLIC HEARING
- 8. Ordinance 2023-16 AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO APPROVING A SUBSTANTIAL MODIFICATION OF PARCELS VPA-1, VPA-7, VPA-8, AND VPA-9 OF THE VANDAVEER RANCH PLANNED DEVELOPMENT TO MODIFY THE OVERALL DEVELOPMENT PLAN BY CHANGING THE ENTITLEMENTS, ZONE DISTRICT MAP, DIMENSIONAL STANDARDS, AND OTHER STANDARDS FOR THE SOUTH ARK NEIGHBORHOOD, FINAL READING AND PUBLIC HEARING

NEW BUSINESS / ACTION ITEMS

- 9. Approve Contract with Concious Creations for Custodial Services
- 10. Resolution 2023-50 A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO AMENDING ITS PREVIOUS APPROVAL OF THE SUBDIVISION IMPROVEMENT AND INCLUSIONARY HOUSING AGREEMENT FOR THE 505 OAK STREET PLANNED DEVELOPMENT AND MAJOR SUBDIVISION
- 11. Ordinance 2023-17 AN ORDINANCE OF THE CITY OF SALIDA, COLORADO ANNEXING TO THE CITY OF SALIDA A CERTAIN TRACT OF LAND IN UNINCORPORATED CHAFFEE COUNTY KNOWN AS THE FLOUR MILL ANNEXATION, FIRST READING AND SETTING A PUBLIC HEARING
- 12. Ordinance 2023-18 AN ORDINANCE OF THE CITY OF SALIDA, COLORADO, ZONING CERTAIN REAL PROPERTY KNOWN AS THE FLOUR MILL ANNEXATION AS HIGH DENSITY RESIDENTIAL (R-3) ZONE DISTRICT, FIRST READING AND SETTING A PUBLIC HEARING

COUNCILORS, MAYOR AND CITY TREASURER REPORTS

Council Reports

- Critelli, Fontana, Kasper, Naccarato, Pappenfort, Stephens

Mayor Report

Treasurer Report

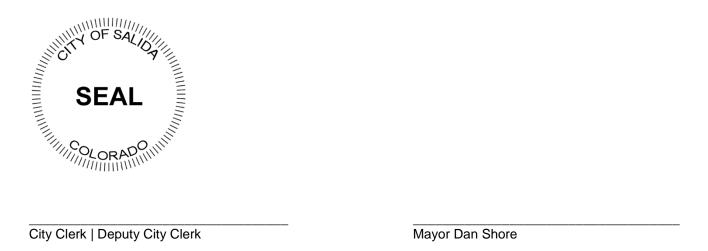
13. Treasurer Report

Attorney Report

Staff Reports

14. Staff Reports

ADJOURN





CIVILITY INVOCATION

We are here working together to create a thriving community. It is the intention of the Salida City Council to promote civil communication by adopting the following guidelines for speaking to the public in the City Council Chambers. It is our hope that by acting in this manner we can help create a safe space for people to share their perspectives and opinions:

- We honor the opportunity to be engaged in the process of governance for the benefit of our community.
- We acknowledge that each of us brings a unique perspective to this conversation and that our perspectives may differ.
- We challenge ourselves to value varying points of view and hold all contributions as equally important.
- We understand and accept that while we may sometimes disagree, we can always be courteous and kind.
- We commit to respectful language, avoiding rumor, harsh criticism or personal accusation, even when feeling emotionally charged.
- We will, to best of our ability, speak thoughtfully and listen with attention, respect, and curiosity.
- We are confident that there may be even better solutions than any of us have thought of, which may be discovered through civil conversations.
- We affirm our support for women's rights, including equal pay, equal treatment under the law and in the workplace, and the right to determine choices that impact the direction and personal values of one's life, including all individuals' reproductive health choices.
- We commit to the City of Salida being a hate-free zone and declare and affirm a policy of nondiscrimination on the basis of a person's race, color, religion, ancestry, national origin, age, sexual orientation, gender, gender identity, marital status, military or veteran status, socio-economic class, medical condition, or physical or mental disability.





448 E. 1st Street, Room 190 Salida, Colorado 81201 1880 November 07, 2023 - 6:00 PM

MINUTES

CALL TO ORDER

Pledge of Allegiance

Roll Call

PRESENT

Council Member Justin Critelli Council Member Harald Kasper Council Member Alisa Pappenfort Council Member Mike Pollock Council Member Jane Templeton Mayor Dan Shore Treasurer Merrell Bergin

ABSENT

Council Member Dominique Naccarato

Civility Invocation

CONSENT AGENDA

Council Member Critelli moved to combine and approve the items on the Consent Agenda, Seconded by Council Member Templeton.

Voting Yea: Council Member Critelli, Council Member Kasper, Council Member Pappenfort, Council Member Pollock, Council Member Templeton

THE MOTION PASSED.

Approve Agenda

Approve October 17, 2023 Minutes

Special Event Elks Application for November 18, 2023

Special Event Elks Application for November 24-25, 2023

Tree Board Work Plan

Veterans Day Parade Amplified Sound Permit

Block Party- Street Closure Permit

Approve a 3rd Party Commissioning Agreement

CITIZEN COMMENT–Three (3) Minute Time Limit

Dennis Hunter, Jim Miller, Cory "Salty" Riggs, and Kathleen (no last name given) spoke during Public Comment.

PROCLAMATIONS

November 2023 Native American Heritage Month

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.

Mayor Shore read the Proclamation and declared November 2023 as Native American Hertiage Month for the City of Salida.

Veterans Day

Mayor Shore read the Proclamation and declared November 11, 2023 as Veterans Day for the City of Salida.

UNFINISHED BUSINESS / ACTION ITEMS

Resolution 2023-47 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO, SUMMARIZING REVENUES AND EXPENDITURES FOR EACH FUND AND ADOPTING A BUDGET FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY 2024 AND ENDING ON THE LAST DAY OF DECEMBER 2024, FINAL READING AND PUBLIC HEARING

Mayor Shore opened the Public Hearing. Finance Director Amiee Tihonovich presented the Resolution.

Hearing no other comment. Shore closed the Public Hearing.

Council Member Critelli moved to approve the Resolution, Seconded by Council Member Templeton.

Voting Yea: Council Member Critelli, Council Member Kasper, Council Member Pappenfort, Council Member Pollock, Council Member Templeton

THE MOTION PASSED.

NEW BUSINESS / ACTION ITEMS

Ordinance 2023-14 AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO AMENDING CHAPTER 13 OF THE SALIDA MUNICIPAL CODE, ADDING A NEW SECTION 13-2-310, REGARDING VARIANCE FOR PRIVATE WATER SUPPLY, FIRST READING AND SETTING A PUBLIC HEARING

Council Member Critelli moved to approve the Ordinance on First Reading and and set a Public Hearing for November 21, 2023., Seconded by Council Member Templeton.

Voting Yea: Council Member Critelli, Council Member Kasper, Council Member Pappenfort, Council Member Pollock, Council Member Templeton

THE MOTION PASSED.

Ordinance 2023-15 AN ORDINANCE OF THE CITY COUNCIL FORTHE CITY OF SALIDA, COLORADO, AMENDING THE CITY CODE TO ADD ARTICLE XVIII TO CHAPTER 2 ENTITLED SUSTAINABILITY COMMITTEE TO ESTABLISH THE COMMITTEE AS AN OFFICIAL ADVISORY BODY WITHIN THE SALIDA MUNICIPAL CODE, FIRST READING AND SETTING A PUBLIC HEARING

Council Member Pappenfort moved to approve the Ordinance on First Reading and set a Public Hearing for November 21, 2023, Seconded by Council Member Kasper.

Voting Yea: Council Member Critelli, Council Member Kasper, Council Member Pappenfort, Council Member Pollock, Council Member Templeton

THE MOTION PASSED.

Ordinance 2023-16 AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO APPROVING A SUBSTANTIAL MODIFICATION OF PARCELS VPA-1, VPA-7, VPA-8, AND VPA-9 OF THE VANDAVEER RANCH PLANNED DEVELOPMENT TO MODIFY THE OVERALL

DEVELOPMENT PLAN BY CHANGING THE ENTITLEMENTS, ZONE DISTRICT MAP, DIMENSIONAL STANDARDS, AND OTHER STANDARDS FOR THE SOUTH ARK NEIGHBORHOODFIRST, **READING AND SETTING A PUBLIC HEARING**

Council Member Pappenfort moved to approve and amend the Ordinance, with changes to be made by the City Attorney and Planning Department Director, on First Reading and set a Public Hearing for November 21, 2023, Seconded by Council Member Critelli.

Voting Yea: Council Member Critelli, Council Member Kasper, Council Member Pappenfort, Council Member Pollock, Council Member Templeton

THE MOTION PASSED.

COUNCILORS, MAYOR AND CITY TREASURER REPORTS

Reports were given.

EXECUTIVE SESSION

For the purpose of conferencing with the City Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S Section 24-6-402(4)(b), for the purpose of determining positions relative to matters that may be subject to negotiation, developing strategy for negotiations, and/or instructing negotiators under C.R.S. Section 24-6-402(4)(e), to discuss a purchase, acquisition, lease, transfer, or sale of real, personal, or other real property interest under C.R.S. 24-6-402(4)(a) and the following additional details are provided for identification purposes: negotiating parameters and financial commitments regarding development of infrastructure in the South Ark neighborhood.

Council Member Critelli moved to enter into Executive Session, Seconded by Council Member Templeton.

Voting Yea: Council Member Critelli, Council Member Kasper, Council Member Pappenfort, Council Member Pollock, Council Member Templeton

THE MOTION PASSED.

Council entered into Executive Session at 7:49 p.m. and returned to the Regular Meeting at 8:26 p.m.

ADJOURN

Adjourned at 8:28 p.m.



City Clerk | Deputy City Clerk

Mayor Dan Shore



DEPARTMENT	PRESENTED BY	DATE
Public Works	David Lady - Public Works Director	November 21, 2023

<u>ITEM</u>

Council Action - Approve Final Settlement for the 2022 Street Reconstruction Project

Consent Agenda

BACKGROUND

The 2022 Street Reconstruction Project included the reconstruction of 10th Street and 12th Street. This included repaving, the addition of sidewalks, and ADA ramp related improvements.

FISCAL NOTE

City Council awarded a Construction Contract to Avalanche Excavating, Inc. on February 1, 2022 for the project with a total project budget of \$1,663,199.41. The final project construction cost was \$1,624,667.30. The 10% retainage in the amount of \$162,466.74 has been withheld pending approval of final settlement by council. Public Notice of Final Settlement was advertised on November 3rd and 7th, 2023

Avalanche Excavation completed acceptable quality of work, however, the contractor's management of the schedule did not meet expectations and requirements.

STAFF RECOMMENDATION

To approve final settlement to Avalanche Excavating, Inc. in the amount of \$162,466.74 for the 2022 Street Reconstruction Project.

SUGGESTED MOTION

A Council person should make a motion to "combine and approve the items on the consent agenda."

Item 5.

To Saralaw

CITY OF SALIDA



NOISE PERMIT APPLICATION

Please fill out the form completely, including by signing and dating the application. Submitting an incomplete application is a basis for denial of a noise permit. Listing a particular type of audio amplification equipment, hours of operation, or any other information below does not guarantee the applicant's right to use such equipment or have an event at a particular time. Whether such application requests have been granted will be indicated in the issued permit.

Applicants may apply for events which are recurring (i.e., live music every Thursday). Any such events should be clearly described as recurring in the event description and should identify all dates on which the event will occur.

Completed applications should be submitted via email to <u>deputyclerk@cityofsalida.com</u>. If that is not possible, they can be submitted in-person to 448 E 1st Street Suite 112. Applications must be submitted at least five (5) working days prior to the date for which the permit is sought.

I. Applicant Information.	
Applicant Name:	Tina Scardina, Rec Coordinator
Applicant Business/Organization:	City Recreation Dept
Applicant Phone:	719 539 6738 ext. 14
Applicant Email:	tina, scardina @ city of salida, com
Applicant Address:	410 W. Rainbow Blod
Sound Supervisor ¹ :	same
Sound Supervisor Phone:	303 330 1942 (personal cell)
II. Event Information.	1
Description of Event: annual	fun run/walk New Year's Day 5K
-	
-	
Estimated Attendance:	150
Date(s):	1/1/24
Hours of Event:	10-11 ³⁰ a
Location of Event:	Scout Hut & Monach Spur Trail

¹ The sound supervisor will be responsible for responding to and immediately addressing noise or other complaints in the absence of the applicant/permittee.

Item 5.



III. Noise Information.

Type of Noise (e.a.	live music, parade):	
1 Speaker	, live music, parade): w	microphone
recorded	1streamed in	usic
	7	
✓ Type of Sound Am	plification Equipment:	
announci	ng race Star	t count down; Starti
announcin	ne return o	frunners: "
	J	
IV. Agreement.		
	_	
As the applicant for	this noise permit, I,	ina sardina , hereby agree and
understand that it is my	y responsibility to ensure	compliance with the conditions and limitations set forth in
the permit and all laws	, rules, and regulations of	f the City of Salida, the state, and the federal government.
		tions of the permit or applicable laws may result in the
		of the conditions and limitations set forth in the permit or
		of future permit applications. I further understand and agree
		ndable and non-transferrable.
Signature:	Tagal	(Typed or Digital signature accepted)
0.00	- 1	
Date:	11/13/23	
	1 2/	
For use by the City CI	erk only:	
Application fee rece	eived: [] Yes	[] N/A
Signaturo:		
Signature:) <u> </u>	
Date:		
Date.	÷	



DEPARTMENT	PRESENTED BY	DATE
Public Works	David Lady - Public Works Director	November 21, 2023

ITEM

Ordinance 2023-14 – Second reading on the proposed amendment to Chapter 13 of the Salida Municipal Code, adding a new section 13-2-310, regarding variance procedure for private water supply.

SECOND READING AND PUBLIC HEARING

BACKGROUND

The purpose of adding this new section to Chapter 13 is to establish a variance procedure for property owners who demonstrate that connecting to the municipal water system is not physically possible or creates an undue hardship. This would allow them to continue using a private water supply, such as a well, under specific conditions such as no change in site density.

There are a few properties located just outside of the City limits that are not eligible for annexation and would be required to connect to the City's water system but extending the water main could be cost prohibitive considering that they are single-family residences. This process will allow these properties to apply for a variance. Future development of their property would require connection to public utilities.

FISCAL NOTE N/A

STAFF RECOMMENDATION Staff recommends Council approve Ordinance No. 2023-14.

SUGGESTED MOTION

A council person should make the motion to "approve Ordinance 2023-14 on second reading."

Attachments:

Ordinance 2023-14

CITY OF SALIDA, COLORADO ORDINANCE NO. 14

(Series of 2023)

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO AMENDING CHAPTER 13 OF THE SALIDA MUNICIPAL CODE, ADDING A NEW SECTION 13-2-310, REGARDING VARIANCE FOR PRIVATE WATER SUPPLY

WHEREAS, the City of Salida, Colorado (the "City") is a statutory city, duly organized and existing under the laws of the State of Colorado;

WHEREAS, pursuant to C.R.S. §31-15-401, the City by and through its City Council, possesses the authority to adopt laws and ordinances within its police power in furtherance of the public health, safety, and welfare;

WHEREAS, under such authority, the City Council previously adopted regulations related to Municipal Utilities, codified as Chapter 13 of the Salida Municipal Code (the "Code");

WHEREAS, City Public Works and Planning staff have identified limited circumstances where it may not be physically possible to extend a public utility to a particular property and where undue hardship, impracticality or impossibility exist relating to connection to the municipal water system;

WHEREAS, City Public Works and Planning staff have identified situations related to the development of a site that would require connection to the municipal water system;

WHEREAS, City Public Works and Planning staff, as well as the City Attorney, recommend that a process be set forth and clearly and definitively enumerated within the Code to permit a variance when such hardships, impracticalities or impossibilities exist relating to connection to the municipal water system;

WHEREAS, the City Council finds it desirable and appropriate, and in the best interest of the general health, safety, and welfare of its residents to amend Chapter 13 of the Code, concerning Municipal Utilities, by the addition of a new Section 13-2-310 as it relates to Variance for Private Water Supply.

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

<u>Section 1</u>. The foregoing recitals are hereby incorporated as conclusions, facts, determinations, and findings by the City Council.

<u>Section 2</u>. Chapter 13 of the Salida Municipal Code, concerning Municipal Utilities, is hereby amended by the addition of a new Section 13-2-310, concerning Variance for Private Water Supply, which shall read as follows:

1

Section 13-2-310. - Variance for Private Water Supply.

- (a) Purpose: The purpose of this section is to establish a variance procedure for property owners who demonstrate that connecting to the municipal water system is not physically possible, extremely impracticable, or creates an undue hardship, allowing them to continue using a private water supply, such as a well, under specific conditions.
- (b) Application for Variance: A property owner seeking a variance under this section shall submit a written application to the City Administrator, which shall include:
 - (1) The property owner's name, address, and telephone number;
 - (2) The address and legal description of the property for which the variance is sought;
 - (3) A detailed explanation of the reasons for seeking the variance, including any undue hardship, impracticality or impossibility associated with connecting to the municipal water system;
 - (4) Documentation demonstrating that the private water supply is in compliance with all applicable health and safety regulations; and
 - (5) Any additional information deemed necessary by the City Administrator to evaluate the variance request.
 - (6) Advanced engineering design for septic systems or wells may be required if environmental concerns are present.
- (c) Undue Hardship: Examples of a subject property having undue hardship, impracticality or impossibility associated with connecting to the municipal water system shall include: no access to a public easement or right-of-way; crossing a body of water in order to connect to the system; crossing rail-road tracks in order to connect to the system; annexation of a property that is not changing in use or unit density and does not have public utilities adjacent; or comparable situations.
- (d) Approval of Variance: The City Administrator may approve a variance under this section if the following criteria are met:
 - (1) The property owner has demonstrated that connecting to the municipal water system is not physically possible, extremely impracticable or creates undue hardship;
 - (2) The property owner has demonstrated that the private water supply is in compliance with all applicable health and safety regulations; and
 - (3) The granting of the variance will not adversely impact the public health, safety, or welfare.
- (e) Conditions of Approval: The City Administrator shall impose conditions on the approval of a variance to ensure that the private water supply remains in compliance with applicable health and safety regulations and to protect the public health, safety, and welfare. Such conditions shall be recorded onto the property and shall include, but not be limited by, the following conditions: the property shall be required to pay appropriate system development fees and connect to the municipal water system in the event of any of the following triggers: a change

of use; a change in unit density; a development or land use application; a public water main being installed on the property's frontage; or an installation of public utilities to the immediately adjacent property(ies).

- (f) Revocation of Variance: The City Administrator may revoke a variance granted under this section if the property owner fails to comply with the conditions of approval or if the private water supply no longer meets applicable health and safety regulations.
- (g) Use of Private Water Supply: The property owner shall use the private water supply approved under this variance solely for the residence or property for which the variance was granted. Use of the private water supply for any other purposes or properties is strictly prohibited.

<u>Section 3.</u> Severability. The provisions of this ordinance are severable and the invalidity of any section, phrase, clause, or portion of the ordinance as determined by a court of competent jurisdiction shall not affect the validity or effectiveness of the remainder of the ordinance.

INTRODUCED ON FIRST READING on this 7th day of November, 2023, ADOPTED and ORDERED PUBLISHED IN FULL in a newspaper of general circulation by the City Council on this _____ day of ________, 2023, and set for second reading and public hearing on the 21st day of November, 2023.

INTRODUCED ON SECOND READING FINALLY ADOPTED and ORDERED PUBLISHED BY TITLE ONLY, by the City Council on this 21st day of November, 2023.

	City of Salida	
	Mayor Dan Shore	
ATTEST:		
City Clerk/Deputy City Clerk		

3



COUNCIL ACTION FORM

DEPARTMENT	PRESENTED BY	DATE
Administration	Christy Doon - Interim City Administrator	November 21, 2023

ITEM

Ordinance 2023-15, AMENDING THE CITY CODE TO ADD ARTICLE XVIII TO CHAPTER 2 ENTITLED SUSTAINABILITY COMMITTEE TO ESTABLISH THE COMMITTEE AS AN OFFICIAL ADVISORY BODY WITHIN THE SALIDA MUNICIPAL CODE. **Second Reading**

BACKGROUND

The Sustainability Committee, an ad hoc group of elected officials and citizens, has been meeting for approximately 3 years. Through the committee, the Salida Climate Action Plan was adopted, a partnership with Unbottle and Protect Chaffee County Water has been established, with new bottle-filling stations installed at areas across the City, and a composting partnership with Elements Composting has been established. The current structure lacks staff support, clear connection to the City Council and organizational direction.

Within the attached Ordinance are the proposed amendments to the City Code, establishing the Sustainability Committee as an official advisory body to City Council.

FISCAL NOTE

No fiscal impacts

STAFF RECOMMENDATION

Staff recommends that the City Council approve Ordinance 2023-15.

SUGGESTED MOTION

A City Councilmember should state, "I move to approve Ordinance 2023-15 on second reading and have it published by Title only", followed by a second and a roll call vote.

CITY OF SALIDA, COLORADO ORDINANCE NO. 15 (Series of 2023)

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO, AMENDING THE CITY CODE TO ADD ARTICLE XVIII TO CHAPTER 2 ENTITLED SUSTAINABILITY COMMITTEE TO ESTABLISH THE COMMITTEE AS AN OFFICIAL ADVISORY BODY WITHIN THE SALIDA MUNICIPAL CODE

WHEREAS, the City of Salida, Colorado ("City") is a statutory city, duly organized and existing under the laws of the state of Colorado; and

WHEREAS, pursuant to C.R.S. § 31-15-401, the City by and through its City Council ("Council"), possesses the authority to adopt laws and ordinances within its police power in furtherance of the public health, safety and welfare; and

WHEREAS, from time to time, the Council sees fit to establish committees, boards, and commissions to address concerns and needs within the community; and

WHEREAS, those entities are codified within the City Code ("Code") to outline their purpose and general functions; and

WHEREAS, the Council is committed to responsibly interacting with the environment and environmental protection and therefore finds this committee to be a needed asset to the City; and

WHEREAS, the Council now therefore desires to amend the Code to add the Sustainability Committee as set forth herein.

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

Section 1. The City Council incorporates the foregoing recitals as conclusions, facts, determinations and findings by the City Council.

Section 2. Code Article XVIII entitled Sustainability Committee is hereby added to read as follows:

Article XVIII. – SUSTAINABILITY COMMITTEE.

Sec. 2-18-10. – Establishment.

There is hereby created and established a Sustainability Committee, which shall perform those duties and exercise those powers and responsibilities as set forth in this Article.

Sec. 2-18-20. – Purpose.

The Sustainability Committee is created to assist and advise the City Council on issues

relating to sustainability within the City.

Sec. 2-18-30. – Membership and organization.

- a) The Sustainability Committee shall consist of five to nine (9) regular members, eight (8) of which shall be appointed by the majority of the City Council and one (1) who shall be appointed by the Board of County Commissioners. Additionally, one (1) member shall be a youth representative who is 14 to 18 years of age.
- b) Members shall serve staggered two-year terms. A member may continue to serve on the Sustainability Committee until his or her successor is appointed and assumes office, and a member may be reappointed to serve successive terms without limitation.
- c) The City Council shall endeavor to maintain a balance of interests and skills on the Sustainability Committee and shall strive to appoint persons from a wide cross-section of sustainability areas such as waste management; transportation; energy supply; land use/natural climate solutions; energy usage, both residential and commercial; water and air quality; and conservation.
- d) A majority of the appointed members shall be a quorum for the transaction of business.
- e) Members of the Committee may be removed by action of the City Council for malfeasance, for non-excused failure to attend three (3) consecutive meetings of the Committee, or excessive absences deemed detrimental by a majority vote of the Committee. To be considered excused, members must contact the Sustainability Coordinator in advance of the scheduled meeting.
- f) The officers of the Sustainability Committee shall be Chairperson, Vice-Chairperson and Secretary. These officers shall perform the duties prescribed in the Committee's bylaws and by the City Council. The officers shall be nominated and elected by the Committee members by ballot to serve for one (1) year or until their successors are elected.
- g) The most recent edition of "Robert's Rules of Order Newly Revised" shall govern the Committee as applicable, unless inconsistent with this Code, the Committee's bylaws, or any special rules of order the Committee adopts.

Sec. 2-18-40. – Powers and duties.

The Sustainability Committee shall have the following powers and duties:

- a) To provide recommendations to the Council pertaining to sustainability efforts.
- b) To assist the Council and City staff to implement the Energy Acton Plan and Climate Action Plan.
- c) To engage in thoughtful analysis of the City's greenhouse gas emissions.
- d) To update and advocate for the advancement of local guidelines and codes to lower energy consumption.
- e) To advocate for improvement of waste diversion and recycling to keep the landfill viable.
- f) To serve as a link between the City Council, City staff, and the community with respect to sustainability initiatives and projects.
- g) To adopt bylaws and guidelines for the functioning of the Committee.

invalidity of any section, ph	rability. The provisions of this ordinance are shrase, clause, or portion of the ordinance as de not affect the validity or effectiveness of the	termined by a court of
INTRODUCED OF ADOPTED and ORDERE	N FIRST READING on this day of _ ED PUBLISHED IN FULL in a newspaper s day of, 2023, and set for second	r of general circulation
· · · · · · · · · · · · · · · · · · ·	ON SECOND READING FINALLY ADOP y the City Council this day of CITY OF SALIDA	
	By: Mayor Dan Shore	
ATTEST:	(SEAL)	
By: City Clerk Erin Kelley		



DEPARTMENT	PRESENTED BY	DATE
Community Development	Bill Almquist - Community Development Director Cheney Bostic – Studio Seed, Inc. (Master Plan Consultants)	November 21, 2023

ITEM:

Second Reading and Public Hearing for Ordinance 2023-16: An Ordinance of the City Council for the City of Salida, Colorado Approving a Substantial Modification of Parcels VPA-1, VPA-7, VPA-8, and VPA-9 of the Vandaveer Ranch Planned Development to Modify the Overall Development Plan by Changing Various Map, the Entitlements, Dimensional Standards, and Other Standards Regarding the South Ark Neighborhood

APPLICANT: The applicant is the City of Salida, 448 E. 1st Street, Salida, CO 81201.

REQUEST SUMMARY:

The request is to amend the Vandaveer Ranch Overall Development Plan (ODP) specifically for the 93.5 acres owned by the City of Salida on the west side of the ODP area. The area currently encompasses four "Vandaveer Planning Areas" (VPAs) of the ODP: the primarily residential area (VPA-1) —formerly referred to as the "Vandaveer Neighborhood" which is now referred to as the "South Ark Neighborhood"—and three parks and open space areas (VPA-7, VPA-8, and VPA-9) which are intended, collectively, to be named "Vandaveer Regional Park." The remaining VPAs to the east of the subject site are not part of this modification request.

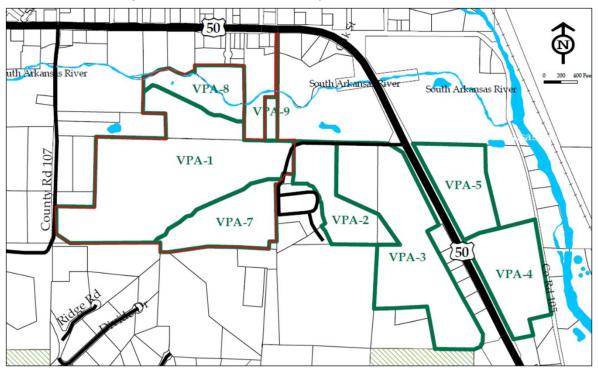


Figure 1: Existing Vandaveer Ranch Overall Development Plan (ODP) Map with PD Modification Area Outlined in Red



DEPARTMENT	PRESENTED BY	DATE
Community Development	Bill Almquist - Community Development Director Cheney Bostic – Studio Seed, Inc. (Master Plan Consultants)	November 21, 2023

The PD modification request proposes the following:

- Revisions to the boundaries and sizes of the 4 subject VPAs (VPA-1 is reduced significantly due to natural features and other factors; VPA-9 is increased significantly to account for park uses and the recent City of Salida/Snyder land swap; VPA-7 remains primarily the same; and VPA-8 is adjusted slightly to account more river corridor and the recent land swap.
- Amendments to the purposes and goals of the various VPAs.
- The creation of three subarea zone districts within VPA-1: SA-1, SA-2, and SA-3.
- Revisions to the use and dimensional standards for the three subareas.
- Revisions to the use standards for VPA-7, VPA-8, and VPA-9.
- Revisions to non-residential development square footage allowed in VPA-8 & VPA-9.
- Unique affordable and workforce housing requirements and definitions above and beyond those of the City's current inclusionary housing requirements.
- Specification of desired street sections and connections to surrounding areas.
- Specification around utilities and stormwater management.
- Updated Development and Design Standards for the South Ark Neighborhood area.
- Inclusion of updated maps specific to entitlements, zone districts, multi-modal circulation, and open space/parks.
- Guidance regarding phasing and implementation of the project.
- Other relevant language.

The overall number of primary units allowed on the site (up to 400) does not change, nor does the maximum residential building height that was allowed within the original ODP (up to 40 feet for multi-family in relevant zones), though some areas would be limited to 30 feet. If approved, final development/subdivision plans would also be required to be approved prior to issuance of any building permits.

UPDATES SINCE FIRST READING:

The ordinance was updated to amend its title (taking out reference to "Article 11", etc.), to include proposed amendments to the goal and purpose statements of the project area, amendments to the entitlements and dimensional standards charts, adding the circulation and open space maps, Council-directed language around preference for continued workforce occupation of certain units, and other insubstantial changes.



DEPARTMENTCommunity Development

PRESENTED BY

DATENovember 21, 2023

Bill Almquist - Community Development Director Cheney Bostic - Studio Seed, Inc. (Master Plan Consultants)

SITE LOCATION: South of Highway 50, East of CR 107 and West of CR 104

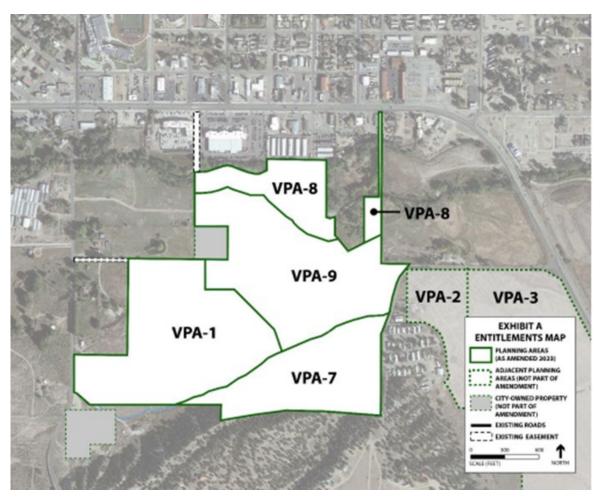


Figure 2: Site Location and Proposed Entitlements Map with Revised Planning Area Boundaries



DEPARTMENT

Community Development

PRESENTED BY

Bill Almquist - Community Development Director Cheney Bostic - Studio Seed, Inc. (Master Plan Consultants) **DATE**November 21, 2023

PHOTOS OF SUBJECT AREA:









PROCESS:

An application for a substantial modification to an approved Planned Development must follow a two-step process. The request is first addressed by the Planning Commission through a public hearing process. The Commission makes a recommendation of approval, approval with conditions, or denial of the request to City Council. The Commission may also remand the application back to the applicant for further information or amendment.



DEPARTMENT	PRESENTED BY	DATE
Community Development	Bill Almquist - Community Development Director Cheney Bostic – Studio Seed, Inc. (Master Plan Consultants)	November 21, 2023

The City Council has final decision-making authority in such applications. During the review of any proposed substantial modification to the PD, the City Council may require such new conditions of approval as are necessary to ensure that the development will be compatible with the current community standards and regulations. This shall include, but not be limited to, applying the portions of the PD which have not obtained building permits, or are subject to the proposed amendment, any new community policies or regulations which have been implemented since the PD was originally approved. An applicant may withdraw a proposed modification at any time during the review process. A request for a substantial modification shall be accompanied by the same type and quality of information as was necessary for the original PD Development Plan approval and shall include a map of the entire PD Development Plan area which clearly defines that portion which is proposed for modification and a written justification of the proposed modification, including a discussion of any changes in impact which would result from the modification.

BACKGROUND AND DETAILS OF REQUEST:

In 2004, the City of Salida purchased approximately 200 acres of the former Vandaveer Ranch for the purposes of water rights and future development potential. An overall development plan (ODP) was created for the entire site in 2006 to provide for a variety of residential, commercial, recreational and open space opportunities and was subsequently updated in 2011. Attempts to develop out portions of the property around that timeframe failed for a variety of reasons, and the property was eventually transferred to a quasi-governmental board in 2012 to steward. Between 2016 and 2018, following additional planning efforts and projects that did not materialize, approximately half of the entire ODP area (west of the subject site) was sold off to a variety of private developers and other public entities. The remaining approximately 93.5 acres on the western side of the ODP area was then returned to the City of Salida in 2018. The ODP was amended once more in 2020 via the Confluent Park PD Modification which affected only VPA-5. In 2022, the City conducted a minor .9-acre land swap with an adjacent property owner northeast of the City property in order to increase the usability near the eastern entrance to the site. That swap is reflected in the mapping changes proposed.

In light of the current housing crisis and dwindling vacant/developable lands within city limits, City Council directed staff to initiate a new master planning process for the remaining parcel. The process kicked off January 2023 with the assistance and expertise of Studio Seed, a multi-discipline consulting organization. The process included a host of public engagement opportunities, including open houses, presentations, site tours, design charrettes, several Planning Commission and City Council work sessions, and more. The site was originally designated for a combination of primarily residential, recreational, and some commercial use as part of VPA-1 (Vandaveer Neighborhood), while VPAs 7, 8, and 9 were designated primarily for parks and open space—the preferred master plan concept for the South Ark Neighborhood that resulted out of the recent master planning process (which is the basis for this proposed PD modification) maintains and expands upon the purpose and intent of the original ODP while also reflecting some of the underlying constraints of the site.



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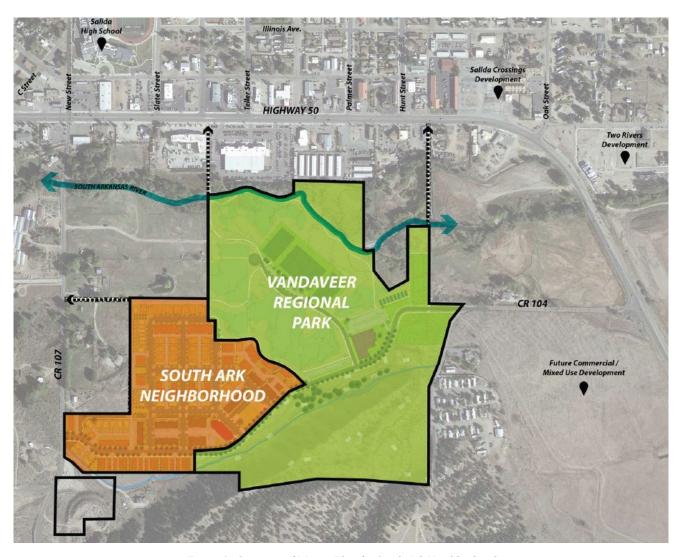


Figure 3: Overview of Master Plan for South Ark Neighborhood



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Figure 4: Master Plan Details for South Ark Neighborhood



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Community Development

PRESENTED BY

Bill Almquist - Community Development Director Cheney Bostic – Studio Seed, Inc. (Master Plan Consultants) **DATE**

November 21, 2023



Figure 5: Master Plan Details for South Ark Neighborhood (Alternative Option)



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The preferred master plan for the site (Figure 4) allows for up to 400 primary units within VPA-1 and shows a future civic/educational/recreational facility towards the eastern edge of the site, within VPA-9. An alternative option (Figure 5) would allow for 350 – 400 units (in greater concentration within VPA-1), with a civic/educational/recreational facility in the northeastern portion of that VPA, in the case that housing is no longer the top priority by the time that specific area is developed in a final phase (and assuming such a facility has not already been constructed). The modification request provides flexibility for both scenarios and maintains the original 400-unit maximum for primary housing units over approximately 33 developable acres, plus over 60 acres for parks, open space, recreational and other civic purposes (proposed as "Vandaveer Regional Park").

The primary modifications to the ODP involve the boundaries of the four planning areas and the concentration of the residential units into the southwestern portion of the site. These changes reflect the constraints of a variety of natural features identified on the site: including floodplain, fluvial and alluvial hazards, topography, seasonal springs, and a more extensive wetlands delineation than was previously known. The modification also proposes a variety of refinements to allowed uses and dimensional standards, especially in VPA-1, as well as greater specificity in regard to the planned transportation network, utility connections, and the like. Highlights of these changes are described in greater details in the sections below.



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Planning Area Entitlements Chart

Planning Areas	Zoning	Gross Area	Dwelling Units and Commercial Lodging Units ¹	Non-residential ² Development Square Footage
PROPOSED DEVELOPMENT	Corresponding Zone District	(Acres)	(up to and including)	(up to and including)
VPA-1	SA-1, SA-2, SA-3, POS per South Ark Neighborhood PD Mod	32.7	400	25,000
VPA-2	Transitional Residential	15.6	130	30,000
VPA-3	Mixed Use Village	44.1	180 (includes commercial lodging units)	300,000
VPA-4	Mixed Use Village	21.7	125 (includes commercial lodging units)	100,000
VPA-5	R-3, RMU and C-1 per Article 10. Confluent Park ³	15	289³	125,000³
VPA-7	Open Space/Parks	19.4	0	2,500
VPA-8	Open Space/Parks	11.3	0	0
VPA-9	Open Space/Parks	30.1	0	40,000
Total		189.9	1,124 units	622,500 SF

¹ This represents the total number of units but does not specify if they are single family, attached, or stacked units.

² Non-residential square footage includes employment centers, retail, commercial, educational centers, active and passive recreational uses requiring built facilities, commercial lodging, services, arts and cultural facilities, research and development.

³ See Article 10, Confluence Park Standards



DEPARTMENT

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DATE

Community Development

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Subarea Creation for VPA-1 (South Ark Neighborhood)

The modification changes the zoning of VPA-1 from "Vandaveer Neighborhood" to three zoning subareas within the residential South Ark Neighborhood (SA-1, SA-2, and SA-3) reflecting varying levels of development intensity that generally increases as you move from southwest to northeast, as shown below:

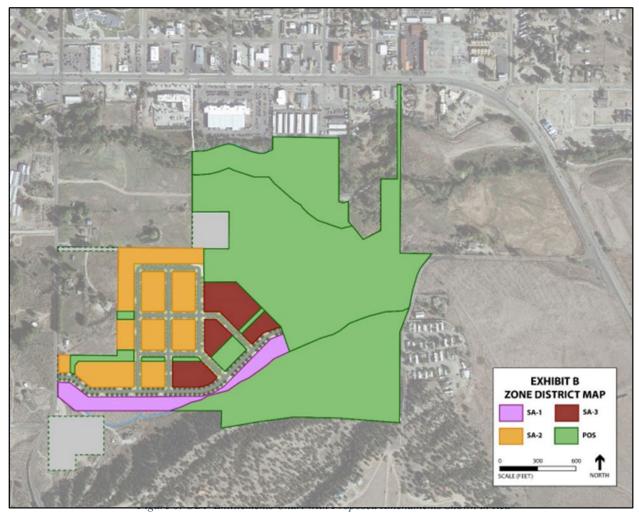


Figure 7: VPA-1 Zone District Subarea Map



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Uses

The use standards at Sections 4.03 and 4.06 of the ODP are updated to reflect the above subareas for VPA-1 as well as the three parks and open space planning areas (VPA-7, VPA-8, and VPA-9). In general, SA-1 allows for a variety of low-to-mid-density residential development, SA-2 allows for a variety of mid-to-high-density residential development, and SA-3 allows for primarily high-density residential development, along with some limited commercial uses (inc. daycare facilities). This represents considerably more concentration of units than is permitted in the current Vandaveer Neighborhood district uses in order to maintain the same number of residential units. SA-3 also allows for a variety of public, institutional, and recreational uses via administrative review, provided housing is not prioritized by the time the northeast extent of the neighborhood is developed (such public and non-profit uses are already exempted from total allowable development square footage, per the ODP). It is also worth mentioning that neither detached single-family dwellings nor short-term rentals would be permitted in SA-3. A maximum of 30 accessory dwelling units (not to count towards the 400-unit maximum) would be allowed throughout the entire site, along with other accessory uses (per code requirements).

The uses for the various planning areas of the to-be-created Vandaveer Regional Park are as follows: The uses within VPA-7 (Ridgeline/Wash Area) would be limited primarily to primitive existing uses such as a disc golf course, hiking trails, as well as a dog park, bike skills track, etc., while the uses within VPA-8 (River Corridor Area) would be sensitive to natural ecological processes of that area and limited to trail access, fishing, outdoor education signage, etc. The permitted uses within VPA-9 (Active Recreation Area) would be much more diverse, including a variety of sports fields and recreation facilities, other civic and educational facilities, daycare facilities, community gardens, dog park, and other potential uses.

Dimensional Standards

The PD modification request outlines proposed dimensional standards for the VPA-1 subareas in a corollary revision to Section 5.06 Table of Dimensional Standards as shown below. The changes correspond to the increased concentration of units and choices of housing types, while actually reducing the allowable height in specific areas along the far southern and western edges of VPA-1. Note that several other dimensional standards have been added for these subareas, specifically, including specific setbacks, maximum unit size, and minimum and maximum densities.



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DIMENSIONAL STANDARD	(former) Vandaveer Neighborhood	SA-1	SA-2	SA-3
Minimum Lot Area	3,000 sq. ft. per unit – res. 5,000 sq. ft. non res.	2,400 sq. ft. single family 1,600 sq. ft. attached	2,000 sq. ft. single family 1,200 sq. ft. attached	3,200 sq. ft. 5,000 non-res sq.ft.
Minimum Lot Width	30'	30' single family 20' attached	25' single family 15' attached	15' attached N/A multi-family/non- residential
Minimum Front Setback*	18' on one side, 5' on all other sides	15'	10'	10' residential 5' non-residential
Minimum Side Setbacks		3' accessory structure 5' primary structure	3' accessory structure 5' primary structure	3' accessory structure 5' primary structure
Minimum Rear Setbacks		5′	5′	5′
Maximum Lot Coverage (paved parking and structures)	60%	60%	60% 75%	90%
Maximum Height – single family	35'	30', no more than 2- stories	30', no more than 2- stories	N/A
Maximum Height – multi-family, non- residential, and mixed use	40', no more than 3 stories	30', no more than 2- stories	40', no more than 3 stories 30', no more than 2 stories fronting CR 107	40', no more than 3 stories
Maximum Height – accessory buildings	25'	25'	25'	25'
Maximum unit size (above grade)		2,000 sq. ft.	2,000 sq. ft.	2,000 sq. ft.
Minimum Density (Max. lot SF per unit)		4,800 sq. ft./unit	4,000 sq. ft/unit	3,200 sq. ft./unit
Maximum Density (Min. lot SF per unit)		1,600 sq. ft./unit	1,200 sq. ft./unit	N/A

^{*}Up to 5-ft. encroachment allowed for covered porches.

Figure~8:~Dimensional~Standards~Table~(5.06)~for~VPA-1~Subareas~with~Comparison~to~Existing~Standards~St



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Affordability and Workforce Housing Requirements

As this property is considered one of the best opportunities to address the current workforce housing challenges, the modification proposes specific affordability and employment requirements for the South Ark Neighborhood that is well above and beyond the requirements of the City's Inclusionary Housing policies. In particular, it proposes that a minimum of 50% (up to 200 primary units) of all housing is to be legally-restricted affordable for the Chaffee County local workforce (certain exceptions are made for qualifying seniors) and an additional 25% (up to 100 primary units) of all housing is to be legally-restricted for the local Chaffee County workforce (non-income-based) for a minimum of 5 years.

The modification states that the breakdown between rental units and for-sale units shall be approximately equal, with affordable rental units restricted affordable to households between 30% and 100% Area Median Income (AMI), with at least half at 80% AMI or below; and for-sale units restricted affordable to households between 60% and 160% AMI, with the average being at 130% AMI or lower and no more than 15% of such units being restricted above 140% AMI. Furthermore, language is proposed that will ensure affordable units are being built at a roughly proportionate rate to market-rate units in each zone and throughout each phase of development.

Additionally, as mentioned above, short-term rentals would not be allowed in the development, but a limited number of accessory dwelling units would be, in order to further meet affordability needs. Single-family detached dwellings would also be limited throughout the development to a maximum of 30 units. ADUs would only be allowed with single-family attached and detached units. The table below shows the minimum and maximum numbers of allowable units in each subarea of the South Ark Neighborhood, along with the affordability targets:

Residential Minimums/Maximums and Affordability Targets

Zone District	Net Area (acres)	Units (min)	Units (max)	ADU (max)	% of total units affordable target
SA-1	3.9	20	30	10	10%
SA-2	10	140	155	15	55%
SA-3	6.4	190	215	5	55%
TOTAL	20.3	350	400	30	50%

Street Types and Access

The modification proposes a handful of street types desired throughout the development represented via a variety of street sections. The main "spine" road (Type A) connecting CR 104 to CR 107 is a wider boulevard-style street with an adjacent but separated and wide multi-use path, on-street parking, and larger parkways



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conducive for the establishment of larger mature trees. Type B and B2 streets are more like typical local urban roads, while Type C would function more like rural county roads which would access recreation facilities and open space areas, specifically. Type D would function as alley access for buildings in the South Ark Neighborhood. The modification also spells out other multi-modal connections to Hwy 50, CR 107, and CR 104.

Parks and Open Space, Utilities and Stormwater

The modification distinguishes the three VPAs zoned Open Space/Parks into separate categories (VPA-7 as "Ridgeline/Wash Area", VPA-8 as "River Corridor Area", and VPA-9 as "Active Recreation Area"). As discussed above, it also provides additional specification of uses and functions for each of those areas. Additionally, the modification discusses the timing for construction of the small neighborhood park to be located within SA-3 of VPA-1. It also discusses the stormwater greenway that will carry potential floodwaters from the CR 107/CR 108 area towards the Crippen Spring and eventually to the river. Lastly, it discusses additional drainage area/green spaces that may one day take on other uses such as additional right-of-way connections. The modification also provides guidance for installation of infrastructure, inc. water, sewer, and other utilities, including surface stormwater conveyance mentioned above.

Development and Design Standards

The modification updates the previous development and design standards for the Vandaveer Neighborhood (VPA-1) in order to provide some additional architectural/aesthetic standards, parking standards, safety and accessibility for bikes and pedestrians, as well as list of basic environmental and natural hazard resiliency standards.

Phasing

The preferred South Ark Neighborhood master plan proposes development in primarily 3 phases, as shown below (though it is not technically part of the PD modification—the graphics are shown for reference and context purposes only). The PD modification request acknowledges the unpredictability inherent in such a large project and allows for quite a bit of variability in such phasing. At the same time, the modification request emphasizes the importance of having a diversity of housing types, a wide mix of income levels spread throughout the site, and the importance of delivering affordable housing units as quickly as possible.



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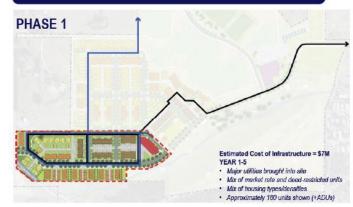
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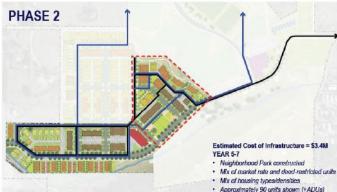
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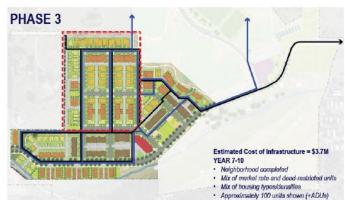
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POSSIBLE SOUTH ARK NEIGHBORHOOD PHASING







PHASING:

- It is anticipated that it could take up to 10 years (or more, depending on market forces) to build out the South Ark Neighborhood.
- The first phase will bring water from Hwy 50 to the north and sewer from Hwy 50 to the east and take utilities to the furthest point - CR107 neighborhood entrance.
- Each phase would include a mix of market rate and affordable units to make development feasible and a mix of densities and housing types to appeal to a wide variety of people.

NOTE: Phasing diagrams illustrate Site Plan #2 - but similar phasing approach (and cost) would occur for Site Plan #1

REQUIREMENTS FOR APPROVAL OF SUBSTANTIAL MODIFICATIONS TO A PD:

Section 16-7-150 Modifications describes the conditions of when and how a PD may be modified.

- (a) <u>All provisions of the PD Development Plan authorized to be enforced by the City may be modified, removed or released by the City subject to the following:</u>
 - (1) No modification, removal or release of the provisions of the PD Development Plan by the City shall affect the rights of the residents, occupants and owners of the PD to maintain and enforce those provisions in law or in equity; and



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- (2) No substantial modification removal or release of the provisions of a PD Development Plan by the City shall be permitted except upon a finding by the City Council, following a public hearing upon notice as required by this Chapter, that the modification, removal or release is:
 - (i) Consistent with the efficient development and preservation of the entire PD;
 - (ii) Does not affect in a substantially adverse manner either the enjoyment of land abutting upon or across the street from the PD or the public interest; and
 - (iii) Is not granted solely for a special benefit upon any person.

Staff: In regards to (1), a modification would not affect said rights and, in regards to (2), staff finds that the request is consistent with the efficient development and preservation of the entire PD as described above; does not affect in a substantially adverse manner either the enjoyment of land abutting upon or across the street from the PD or the public interest (other than that the current open views would eventually include that of the proposed development, which is situated in locations and at height and densities allotments that would minimize those impacts); and is not granted solely for a special benefit upon any person (but rather to the entire community via large percentages of affordable workforce housing).

(b) Residents and owners of land in the PD, may to the extent and in the manner expressly authorized by the provisions of the PD Development Plan, modify, remove or release their rights to enforce the provisions of the plan; but no such action shall affect the right of the City to enforce the provisions of the plan.

Staff: No such modification shall affect the right of the City to enforce provisions of the plan as approved.

- (c) An insubstantial modification to an approved PD Development Plan may be authorized by the Administrator. However, insubstantial modifications may only be approved if they promote the terms, purposes and conditions of the original PD Development Plan and approval. The applicant shall make a written request to the Administrator justifying the proposed modification and clearly showing on the PD Development Plan and accompanying written narrative that portion which is proposed for modification. A record of such approved insubstantial modification shall be filed and recorded in the same manner as the original. The following shall NOT be considered an insubstantial modification:
 - (1) A change in land use or development concept.
 - (2) An increase in residential density levels or building coverage of nonresidential uses.
 - (3) An increase in the permitted height.
 - (4) A realignment of major circulation patterns or a change in functional classification of the street network.
 - (5) A reduction in approved open space or common amenities.



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(6) Other significant changes which involve policy questions or issues of overriding importance to the community.

Staff: The proposed modification is not an insubstantial modification of the PD. This criterion is not applicable.

(d) During the review of any proposed substantial modification to the PD, the City Council may require such new conditions of approval as are necessary to ensure that the development will be compatible with the current community standards and regulations. This shall include, but not be limited to, applying the portions of the PD which have not obtained building permits, or are subject to the proposed amendment, any new community policies or regulations which have been implemented since the PD was originally approved. An applicant may withdraw a proposed modification at any time during the review process. A request for a substantial modification shall be accompanied by the same type and quality of information as was necessary for the original PD Development Plan approval and shall include a map of the entire PD Development Plan area which clearly defines that portion which is proposed for modification and a written justification of the proposed modification, including a discussion of any changes in impact which would result from the modification.

Staff: The workforce/affordable housing requirements of the PD modification, along with provisions for ample recreation and open space more than satisfy any conditions that the City might apply in this situation. Therefore, no conditions are suggested. The applicant has also made a complete application that defines which portions are proposed for modification. The modification meets the above requirements.

PLANNING COMMISSION RECOMMENDATION

Planning Commission reviewed the PD Modification proposal at a public hearing on October 10, 2023 and unanimously recommended approval subject to the following conditions (all of which have already been incorporated into the updated narrative portion of the application):

- 1. Provide more specific definitions of "Chaffee County local workforce" and "Affordable workforce housing", including refined language regarding exceptions for seniors.
- 2. City Attorney will provide legal and non-substantive amendments to the wording of Section 3.3.
- 3. Accessory Dwelling Units (ADUs) may only be allowed with single-family attached and detached units.
- Specify that any shared-use bike/pedestrian trails be separated from the primary roads and, where
 practicable, provide separated bike and pedestrian lanes within such trails, if right-of-way space will
 allow.



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RECOMMENDED FINDINGS:

The application is in compliance with the review standards for Substantial Modifications to a Planned Development found at Section 16-7-150 of the Land Use Code and is consistent with the efficient development and preservation of the entire PD; does not affect in a substantially adverse manner either the enjoyment of land abutting upon or across the street from the PD or the public interest; and is not granted solely for a special benefit upon any person.

RECOMMENDED MOTION:

"I make a motion to approve Ordinance 2023-16 to approve a Substantial Modification to the Vandaveer Ranch Overall Development Plan for the South Ark Neighborhood, as it is in compliance with the review standards for Substantial Modifications to a Planned Development found at Section 16-7-150 of the Land Use Code."

Attachments:

Ordinance 2023-16
Application materials for Substantial PD Modification
Narrative of PD Modification (with appendices)
2011 Amended Vandaveer Ranch Overall Development Plan
2020 Confluent Park PD modification/amended ODP Ordinance
Description of 2021 Land Swap with Jodie and Barry Snyder
Public comment letters
Proof of publication

ORDINANCE NO. 16 (Series 2023)

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO APPROVING A SUBSTANTIAL MODIFICATION OF PARCELS VPA-1, VPA-7, VPA-8, AND VPA-9 OF THE VANDAVEER RANCH PLANNED DEVELOPMENT TO MODIFY THE OVERALL DEVELOPMENT PLAN BY CHANGING VARIOUS MAPS, THE ENTITLEMENTS, DIMENSIONAL STANDARDS, AND OTHER STANDARDS REGARDING THE SOUTH ARK NEIGHBORHOOD

- **WHEREAS,** the City Council approved the original Overall Development Plan for the Vandaveer Ranch Planned Development by Ordinance 2006-19 on December 22, 2006; and
- **WHEREAS**, the Overall Development Plan was modified by changing the entitlements, zone district map, dimensional standards and adding new Article 10: Pinto Barn Parcel Standards for Parcel VPA-5 by Ordinance 2011-16 on October 18, 2011; and
- WHEREAS, the Overall Development Plan was modified once again by changing the entitlements, zone district map, dimensional standards and Article 10: Pinto Barn Parcel Standards via the Confluent Park Planned Development Amendment; and
- **WHEREAS**, Section 16-7-150 of the Salida Municipal Code (SMC) states substantial modifications to a Planned Development may be amended by the City Council after a public hearing and subject to certain criteria; and
- **WHEREAS**, the City of Salida is the owner of all of Vandaveer Planning Area (VPA) parcels 1, 7, 8, and 9 which encompasses approximately 93.5 acres on the far western side of the Overall Development Plan area; and
- **WHEREAS**, the City of Salida has made an application to amend the Planned Development in accordance with the SMC, to allow development of VPAs 1, 7, 8, and 9 in accordance with new land uses and development standards; and
- **WHEREAS**, the City of Salida Planning Commission held a duly noticed public hearing on October 10, 2023 to review the proposed changes and made a recommendation that the City Council approve the proposed substantial modification of the Planned Development, with conditions, as it met the criteria stated in Section 16-7-150; and
- WHEREAS, the proposal for the subject territory is consistent with the policies and goals of the City's land use regulations and Comprehensive Plan, and will advance the public interest and welfare; and
- NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO as follows:

Section One

The Entitlements Map of the Vandaveer Ranch Planned Development District Overall Development Plan shall be amended for VPAs 1, 7, 8, and 9 (only) as shown in Exhibit A attached hereto.

Section Two

The Zone Districts Map (Exhibit A of Confluent Park PD Amendment) shall be amended as shown in Exhibit B attached hereto.

Section Three

The South Ark Neighborhood portions (VPAs 1, 7, 8, and 9) only of the Circulation Map (Exhibit C of the 2011 Vandaveer Ranch PD Amendment) shall be amended as shown in Exhibit C attached hereto.

Section Four

The Open Space and Parks Map of the Vandaveer Ranch Planned Development District Overall Development Plan shall be replaced with Exhibit D Parks and Open Space Map attached hereto.

Section Five

Section 3.01, the Planning Area Entitlements Chart of Article 3 of the Vandaveer Ranch Planned Development District Overall Development Plan, shall be replaced in its entirety, to read as follows:

Planning Area Entitlements Chart

Planning Areas	Zoning	Gross Area	Dwelling Units and Commercial Lodging Units ¹	Non-residential ² Development Square Footage
PROPOSED DEVELOPMENT	Corresponding Zone District	(Acres)	(up to and including)	(up to and including)
VPA-1	SA-1, SA-2, SA-3, POS per South Ark Neighborhood PD Mod	32.7	400	25,000
VPA-2	Transitional Residential	15.6	130	30,000
VPA-3	Mixed Use Village	44.1	180 (includes commercial lodging units)	300,000
VPA-4	Mixed Use Village	21.7	125 (includes commercial lodging units)	100,000
VPA-5	R-3, RMU and C-1 per Article 10. Confluent Park ³	15	289³	125,000³
VPA-7	Open Space/Parks	19.4	0	2,500
VPA-8	Open Space/Parks	11.3	0	0
VPA-9	Open Space/Parks	30.1	0	40,000
Total		189.9	1,124 units	622,500 SF

¹ This represents the total number of units but does not specify if they are single family, attached, or stacked units.

Section Six

² Non-residential square footage includes employment centers, retail, commercial, educational centers, active and passive recreational uses requiring built facilities, commercial lodging, services, arts and cultural facilities, research and development

³ See Article 10, Confluence Park Standards

Section 4.01 "Purpose of the Development Zones" of Article 4 of the Vandaveer Ranch Planned Development District Overall Development Plan shall be amended by replacing the paragraph beginning with "Vandaveer Neighborhood" in its entirety, to read as follows:

South Ark Neighborhood. This district is intended to provide an area for residential uses that will increase the range of housing types and choice of housing styles within the community. Site and dimensional requirements are more flexible than what is allowed under the City's residential zone districts and are designed to promote innovative design and a greater choice of housing, promote housing affordability, and diverse home sizes to serve a mix of income levels. The size and location of the South Ark Neighborhood allows individual homes to be oriented to take advantage of views and solar access.

Section 4.01 "Purpose of the Development Zones" of Article 4 of the Vandaveer Ranch Planned Development District Overall Development Plan shall be further amended by replacing the paragraph beginning with "Open Space/Parks and Recreation" in its entirety, to read as follows:

Open Space/Parks and Recreation. Lands designated as Open Space or Parks and Recreation are shown on the zone district map as well as the Parks and Open Space Map. The areas within VPAs 7, 8, and 9 make up the proposed "Vandaveer Regional Park" and shall remain as permanent open space and parks unless alternative open space or parks acceptable to the City is substituted. No improvements other than recreational/civic/educational facilities, trails, roads, and drainage facilities may be constructed in such open space areas, as specified per planning area below.

Section 4.02.6 "Zone Districts Created" of Article 4 of the Vandaveer Ranch Planned Development District Overall Development Plan shall be replaced in its entirety to read as follows:

The following zone districts are hereby created for the Project: South Ark Neighborhood (along with the three subarea zone districts SA-1, SA-2, and SA-3); Transitional Residential; Mixed Use Village Center; Confluent Park (along with the three subarea zone districts R-3, RMU, and C-1); and Open Space/Parks and Recreation. The land areas are shown on the Vandaveer Planned Development Zone Districts Map Exhibit B along with the South Ark Neighborhood PD Modification Zone Districts Map Exhibit B.

Section 4.03, "Vandaveer Neighborhood" of Article 4 of the Vandaveer Ranch Planned Development District Overall Development Plan, shall be renamed and replaced in its entirety to read as follows:

4.03 South Ark Neighborhood

The three South Ark Neighborhood subarea zone districts (SA-1, SA-2, and SA-3, as described below and all within VPA-1) shall be reserved for a mix of residential types and sizes. Non-residential (commercial/mixed use/public) is allowed in SA-3 only. Single-family detached units are not allowed in SA-3. Short-term rentals shall not be allowed anywhere in the South Ark Neighborhood. All uses must meet parking and other use specific criteria of the Code unless stated otherwise in this PD. The following principal and accessory uses are allowed:

SA-1: South Ark Variable Residential

This subarea zone includes residential lots south of the primary east-west "spine" road connecting CR107 to CR104. These lots are arranged around common courtyards to preserve views and provide areas for water to naturally drain toward the South Arkansas River from the south. This zone allows for single unit and attached-unit residential types at slightly lower densities and heights compared to other zone districts. Vehicular access is provided via alleys or shared parking courts.

Principal Uses Permitted by Right:

- Single-family dwelling units
- Duplex dwelling units
- Residential Multi-Family (3-4 units)
- Attached townhomes with no more than eight (8) units per structure

Accessory Uses Permitted with Conditions (conditions in parentheses):

- Accessory dwelling units (shall comply with ADU dimensional requirements in code requirements and be located behind a principal use)
- Accessory buildings and structures (e.g., garage, shed, art studio, etc.)
- Home occupations (shall occupy no more than 30% of the gross floor area of the residence and have no exterior indication of nonresidential activity. The business owner or operator must reside within the dwelling unit in which the business is conducted.)

SA-2: South Ark Higher-Efficiency Residential

This subarea zone district includes residential lots along the western and northern edges of VPA-1 as well as the central four blocks. These lots orient onto the public streets or the neighborhood greenway and allow for single unit, attached unit, and small multi-unit residential types at medium densities and heights compared to other zone districts. Vehicular access is provided via alleys.

Principal Uses Permitted by Right:

- Single-family dwelling units
- Duplex dwelling units
- Residential Multi-Family (3-4 units)
- Attached townhomes with no more than eight (8) units per structure
- Residential Multi-Family (5-19 units)

Accessory Uses Permitted with Conditions (conditions in parentheses):

- Accessory dwelling units (shall comply with ADU dimensional requirements in code requirements and be located behind a principal use)
- Accessory buildings and structures (e.g., garage, shed, art studio, etc.)
- Home occupations (shall occupy no more than 30% of the gross floor area of the residence and have no exterior indication of nonresidential activity. The business owner or operator must reside within the dwelling unit in which the business is conducted.)

SA-3: South Ark Residential Mixed Use Center

This subarea zone district includes the lots and blocks adjacent to the public park and regional park. These lots orient onto the public streets, neighborhood greenway, and the neighborhood park or regional park. Attached, multi-unit, and commercial/mixed uses are allowed at the highest densities and heights compared to other zone districts. Vehicular access is provided via alleys or shared parking courts. Single-unit housing is not allowed in this zone.

Principal Uses Permitted by Right:

- Duplex dwelling units
- Residential Multi-Family (3-4 units)
- Attached townhomes with no more than eight (8) units per structure
- Residential Multi-Family (5-19 units)
- Residential Multi-Family (20+ units)
- Eating and drinking establishments less than 10,000 SF
- Retail sales and rental establishments less than 10,000 SF
- Daycare facility

Accessory Uses Permitted with Conditions (conditions in parentheses):

- Accessory dwelling units (shall comply with ADU dimensional requirements in code requirements and be located behind a principal use)
- · Accessory buildings and structures
- Home occupations (shall occupy no more than 30% of the gross floor area of the residence and have no exterior indication of nonresidential activity. The business owner or operator must reside within the dwelling unit in which the business is conducted.)

Uses Allowed by Administrative Review:

- Public/Institutional Uses (transit center, church/religious, clubs, community buildings, government administrative facility, group homes, park, public parking facility, recreation facility, school)
- Other Commercial Uses (e.g., offices, retail, etc.)
- Sports complexes and active recreational fields, whether public, semi-public or private which may include related commercial uses, such as snack bars and restroom facilities, instruction, equipment storage and maintenance facilities, including but not limited to ball fields and courts, playfields and playgrounds.
- Other uses not listed above that are deemed similar by the City Administrator or his/her designee.

POS: Open Space/Parks and Recreation

This zone district is intended to prohibit intensive development, to provide open space and civic/educational facilities (including potentially a recreation center) and to protect the floodplain and wetlands. Areas designated as either Parks or Open Space satisfies the Planned Development District requirement for open space dedication. The POS zone district exists within all four separate planning areas. The allowed uses for those planning areas are listed below and expand upon the uses outlined at Section 4.06 of the ODP:

VPA-1: South Ark Neighborhood

Principal Uses Permitted by Right:

- Neighborhood Park with uses that support surrounding residences such as: playground, grilling areas, lawn space, plaza area, shade structure(s), benches, kiosks/signage, etc.
- Neighborhood Greenway designed to support the flow of stormwater through the neighborhood to VPA-9. This area may include passive recreation spaces such as overlooks, small plazas with seating, etc.
- Stormwater/Green Space areas that are intended to be preserved as open space in the short term but may be converted to street right-of-way in the future if redevelopment occurs to the west along CR 107.

VPA-7: Ridgeline/Wash Area

Principal Uses Permitted by Right:

• Trails, benches, kiosks/signage, disc golf, dog park, other active outdoor recreation, and public restrooms are allowed.

VPA-8: River Corridor

Principal Uses Permitted by Right:

• Trails, benches, kiosks/signage, outdoor education, and fishing are allowed.

VPA-9: Active Recreation Area

Principal Uses Permitted by Right:

- Active or passive recreational areas or facilities, both public and private, open or covered, (and which may include related recreational amenities such as, snack bars and restroom facilities, band shells, picnic areas, instruction, equipment storage and maintenance facilities), including, but not limited to fishing facilities, ballfields and courts, play fields and playgrounds, trails, dog park, community supported agriculture, community gardens, passive recreational and Open Space areas.
- A future daycare facility shall also be allowed.

Section 4.06 Open Space/Parks and Recreation shall be replaced in its entirety to read as follows, including the reference and incorporation of Exhibit D, Parks and Open Space Map, attached hereto:

Note that the original Vandaveer Ranch PD open space requirements were satisfied via the inclusion of VPAs 7, 8, and 9 and therefore no additional open space dedication or fees in lieu will be required. The Vandaveer Regional Park will be a City-owned and maintained public park of 60.8 Acres, with three distinct use zones, as described below. Trails within the site are to be provided by the City – 8' minimum for paved and 5' for unpaved – when feasible, and in locations generally aligned with the Exhibit C: Transportation Network Map.

A - Vandaveer Regional Park – River Corridor Area

This 11.3-acre area of open space in VPA-8 within the Vandaveer Regional Park is intended to be one of the most undisturbed and natural open spaces in the area. It should be the backbone of a South Arkansas River sanctuary, in which trees, naturally shifting channels, wetlands, beaver ponds, etc. are all preserved, and only supplemented with environmentally sensitive trails. This area should remain an area for birding and wildlife habitat and should include opportunities for environmental education along the river corridor. Initiatives by local environmental groups for grants to design and build river restoration projects should be encouraged.

The northeast portion of this area should leverage the connectivity opportunity presented by the 15' north-south easement extending up to Hwy 50. This easement can help to provide north-south bicycle and pedestrian access to the site – extending over the river with a future bike/pedestrian bridge – and should be accompanied by a safe crossing (RRFB and/or pedestrian refuge island) across Hwy 50 to Caldwell Street.

B - Vandaveer Regional Park – Wetlands Area

The approx. 12.7-acre Wetlands Area (as mapped in 2023) in VPA-9 within the Vandaveer Regional Park is intended to be kept natural/undisturbed. This area is distinct in that it should include trail connectivity to the broader Vandaveer Regional Park and the South Ark Neighborhood. However, any disturbance to the existing jurisdictional wetlands areas should be carefully considered and studied to minimize any detrimental impacts to the wetland habitats. Any future efforts to relocate/mitigate existing jurisdictional wetlands should be studied prior to implementation.

C - Vandaveer Regional Park – Active Recreation Area

The approx. 19.4-acre Active Recreation Area in VPA-9 within the Vandaveer Regional Park is the best opportunity for the City to expand its footprint of City-serving active recreational opportunities and needed community facilities. Appropriate active recreation and supplementary uses in this area include:

- Flexible fields for recreation and festivals
- Various sport courts
- Trails
- Small restroom facilities
- Public parking (to support active recreation uses and trailhead access)

- Additional active recreation uses as identified by the PROST Board and approved by the City Administrator
- Recreation center
- Daycare
- Educational facilities
- Maintenance facilities
- Civic facilities
- Non-profit space
- Dog park (separate from VPA 7)

It is highly recommended that this area consider well irrigation for maintenance and watering of the flexible field uses.

This area is also allowed to accommodate a future civic/education facility, as outlined in VPA-9 above, of up to 40,000SF. If located in Active Recreation Area, such a building shall be sited in a location that maximizes access to the supporting recreation fields/courts, while minimizing the obstruction of view corridors.

D - Vandaveer Regional Park - Ridgeline/Wash Area

The 19.4 acre Ridgeline/Wash Area in VPA-7 within the Vandaveer Regional Park currently includes the Heart of the Rockies Disc Golf Course, which is intended to remain as a use in this area (note that some tee boxes/hole locations may need to be moved over time to facilitate the implementation of the South Ark Neighborhood and other uses for the Vandaveer Regional Park, including corresponding infrastructure needs). Uses in this area should leverage the natural topography and mature vegetation, while minimizing the disturbance of each. Appropriate uses in this area include:

- Approximately 1-acre dog park, planned to be located under the cottonwood grove, adjacent to the spine road, and associated parking.
- Small picnic area(s)/restrooms
- Maintenance facility
- Disc Golf Course (existing Heart of the Rockies Disc Golf Course)
- Adventure Recreation, such as a zipline course, treehouses, etc.
- Trails (walking & biking)
- Pump Track/Bike Park
- Additional active recreation uses as identified by the PROST Board and approved by the City Administrator

E - Neighborhood Park

The Neighborhood Park within the South Ark Neighborhood/VPA-1 is intended to serve the surrounding neighborhood as a place for formal and informal community gathering among South Ark Neighborhood residents. Accordingly, the park area should include community amenities such as sea \Box ng areas, shared grills, etc. This park area should include opportunities for shade and respite from the sun, whether through tree plan \Box ng and/or a pavilion or shade structure as well as opportunities for small neighborhood events.

The construction of the park should occur prior to, or concurrently to, the immediate adjacent land uses, so that the park will become an active gathering space upon its completion. The park will be constructed to City Standard by the vertical developer of the adjacent land uses (to be determined through a developer's agreement) but it will be owned and maintained in perpetuity by the City following the completion of its corresponding development phase.

F - Stormwater Greenway

As noted in Sec on 7.2 below, a stormwater swale should be incorporated in the neighborhood greenway to convey storm events from the existing detention facility at the northeast corner of the County Road 107 / County Road 108 intersection. This stormwater greenway, while serving essential stormwater conveyance use, should be designed in a manner that also makes it an amenity to the South Ark Neighborhood. Where possible, a multi-use path should be incorporated into its design, so that connectivity across the site is further increased, and pedestrians and cyclists can utilize this corridor to move east-west across the site from the Vandaveer Regional Park through the South Ark Neighborhood to CR 107. The area should be well-planted with tree and plant species that will not disturb the stormwater conveyance functions of the greenway.

G - Stormwater/Green Space A pair of small stormwater/green spaces are located on the western edge of the central part of the South Ark Neighborhood. These green spaces are strategically located to align with the roadways running east-west adjacent to them, to facilitate the potential for future roadway connections to CR 107. The need/desire for future connections from the neighborhood to CR107 is currently unknown, so they should be designed in a manner that allows near-term neighborhood use and informal gathering, but would not require extensive demolition (i.e., strategically plan \square ng any trees so that they would not require removal).

Section Seven

Article 5 of the Vandaveer Ranch Planned Development District Overall Development Plan, shall be amended by: (1) amendments to Section 5.03, "Vandaveer Neighborhood [VR-VN]"; (2) amendments to Section 5.06, "Table of Dimensional Standards," and; (3) the creation of a new Section 5.07, "Affordable and Workforce Housing Standards", as follows:

Section 5.03 within Article 5 of the Vandaveer Ranch Planned Development District Overall Plan, entitled Vandaveer Neighborhood [VR-VN] shall be re-named and replaced in its entirety to read as follows:

5.03 South Ark Neighborhood (VPA-1)

Dimensional Standards for the subarea zone districts of the South Ark Neighborhood (SA-1, SA-2, and SA-3) are listed in the columns of Section 5.06 Table of Dimensional Standards, within the section of the table titled "South Ark Neighborhood."

5.06 Table of Dimensional Standards

The column titled "Vandaveer Neighborhood," within Section 5.06, "Table of Dimensional Standards", of Article 5 of the Vandaveer Ranch Planned Development District Overall Plan, shall be replaced in its entirety to read as follows: "South Ark Neighborhood"

DIMENSIONAL	SA-1	SA-2	SA-3
STANDARD			
Minimum Lot Area	2,400 sq. ft. single family 1,600 sq. ft. attached	2,000 sq. ft. single family 1,200 sq. ft. attached	3,200 sq. ft. 5,000 non-res sq.ft.
Minimum Lot Width	30' single family 20' attached	25' single family 15' attached	15' attached N/A multi- family/non-residential
Minimum Front Setback**	15'	10'	10' residential 5' non-residential
Minimum Side Setbacks	3' accessory structure 5' primary structure	3' accessory structure 5' primary structure	3' accessory structure 5' primary structure
Minimum Rear Setbacks	5'	5'	5'
Maximum Lot Coverage (paved parking and structures)	60%	75%	90%
Maximum Height – single family	30', no more than 2-stories	30', no more than 2-stories	N/A
Maximum Height – multi-family, non- residential, and mixed use	30', no more than 2-stories	40', no more than 3 stories 30', no more than 2 stories fronting CR 107	40', no more than 3 stories
Maximum Height – accessory buildings	25'	25'	25'
Maximum unit size (above grade)	2,000 sq. ft.	2,000 sq. ft.	2,000 sq. ft.
Minimum Density (Max. lot SF per unit)	4,800 sq. ft./unit	4,000 sq. ft/unit	3,200 sq. ft./unit
Maximum Density (Min. lot SF per unit)	1,600 sq. ft./unit	1,200 sq. ft./unit	N/A

^{**}Up to 5-ft. encroachment allowed for covered porches.

A new Section 5.07, of Article 5 of the Vandaveer Ranch Planned Development District Overall Development Plan, Article 5, entitled "Affordable and Workforce Housing Standards", shall be created to read as follows:

Affordable and Workforce Housing Standards

This South Ark Neighborhood PD modification shall ensure and require that a minimum of seventy-five percent (75%) of all housing units constructed within the PD modification area be either "affordable workforce housing" or "non-income-based workforce housing," as defined

herein and as further specified below. The additional requirements listed below shall override and supersede the City of Salida's Inclusionary Housing Ordinance requirements as found within the Salida Municipal Code:

"Chaffee County local workforce" shall be defined as those individuals earning their primary (80% or more) source of income at a business or employer within Chaffee County, as documented with the United States Internal Revenue Service and as further defined and certified by the City Administrator and his/her designee. Individuals over sixty (60) years of age shall be considered part of the Chaffee County local workforce if they have: (1) maintained their sole and primary residence within Chaffee County a minimum of 10 years; or (2) earned 80% or more of their primary source of income at a business or employer within Chaffee County, as documented with the United States Internal Revenue Service, for a minimum of four (4) years over the last ten (10) years; and if they otherwise qualify for the deed-restricted units (or otherwise-restricted units as defined herein).

"Affordable workforce housing" is housing that is available and affordable to very low-income, low-income and middle-income households where members of such households are part of the Chaffee County local workforce as defined herein, and further specified immediately below:

- "Affordable workforce housing rental units" shall be defined as permanently deed-restricted residential rental units which are affordable to households earning between thirty percent (30%) and one hundred percent (100%) of Area Median Income (AMI) for Chaffee County, as defined annually by the Colorado Housing Finance Authority (CHFA).
- "Affordable workforce housing for-sale units" shall be defined as permanently deed-restricted residential for-sale units which are affordable to households earning between sixty percent (60%) and one hundred sixty percent (160%) of Area Median Income (AMI) for Chaffee County, as defined annually by the Colorado Housing Finance Authority (CHFA).

"Non-income-based workforce housing" shall be defined as deed-restricted housing that is available to individuals who are part of the Chaffee County local workforce as defined herein. Such housing shall not be based on income but shall be deed-restricted only for members of the Chaffee County local workforce for a minimum of 5 years from the date of initial sale.

Additional Requirements:

- o A minimum of fifty percent (50%) of the total residential units within the South Ark Neighborhood PD modification area shall be permanently deed-restricted affordable workforce housing as defined herein and as further specified immediately below:
 - Of all the affordable workforce housing units, no fewer than forty percent (40%) shall be reserved for affordable workforce housing *rental* units, and no fewer than forty percent (40%) shall be reserved for affordable workforce housing *for-sale* units.
 - A minimum of half of the affordable workforce housing *rental* units must be deed-restricted affordable to households earning eighty percent (80%) or less of the AMI for Chaffee County, as defined annually by CHFA.

- The average of all affordable workforce housing *for-sale* units must be deed-restricted affordable to households earning one hundred thirty percent (130%) or less of the AMI for Chaffee County, as defined annually by CHFA. Additionally, no more than fifteen percent (15%) of affordable workforce housing for-sale units shall be sold at prices affordable to households earning above one hundred forty percent (140%) of the AMI for Chaffee County, as defined annually by CHFA.
- o Any residential units within the South Ark Neighborhood PD modification area owned by public or non-profit housing entities, such as the Chaffee Housing Authority or the Chaffee Housing Trust, are exempt from the AMI and deed-restriction requirements set forth herein, but such residential units may count toward the fifty percent (50%) overall affordable workforce housing units requirement.
- o A minimum of twenty-five percent (25%) of total residential units within the PD amendment area shall be deed-restricted non-income-based workforce housing as defined herein. Such deed restrictions on all non-income-based workforce housing shall apply for a minimum of 5 years. It is preferred that these units remain available and occupied by the Chaffee County local workforce following the termination of the deed-restriction.
- o The deed-restricted (or otherwise-restricted) affordable workforce housing units and non-income-based workforce housing units in each zone district (and phase) shall be built at substantially the same time as the non-deed-restricted residential units.
 - Certificates of occupancy (COs) shall be given at a maximum of three (3) non-deed-restricted residential units for every one (1) deed-restricted or otherwise-restricted unit, as defined herein.
- o Short Term Rental Unit(s) shall not be permitted anywhere in the South Ark Neighborhood PD modification area.
- o Accessory Dwelling Units (ADUs) are encouraged but not required. They are permitted on attached and detached single family lots to assist in furthering the goals of serving the affordable and workforce housing needs of the County and City, but do not count towards the residential unit maximum or affordable or workforce housing requirements. See maximums ADU allotments further below.

Each of the zone districts include a minimum and maximum number of units allowed as well as a percentage affordable target, as defined in the table below with the goal that the sum of deed-restricted (and otherwise-restricted) affordable units in total for VPA-1 is at least 50% as defined above.

Residential Minimums/Maximums and Affordability Targets

Zone District	Net Area (acres)	Units (min)	Units (max)	ADU (max)	% of total units affordable target
SA-1	3.9	20	30	10	10%
SA-2	10	140	155	15	55%
SA-3	6.4	190	215	5	55%
TOTAL	20.3	350	400	30	50%

Section Seven

Section 8.02 of Article 8 of the Vandaveer Ranch Planned Development District Overall Development Plan, entitled "Vandaveer Neighborhood District: Development and Design Standards", shall be replaced in its entirety to read as follows:

- **8.02** South Ark Neighborhood: Development and Design Standards
 - **8.02.1** Development must be located with the existing topography in mind and shall minimize disruption to existing terrain, vegetation, drainage patterns, natural slopes and any other distinctive features.
 - **8.02.2** The design and siting of all structures shall protect and preserve wetlands and riparian areas, critical wildlife habitats, natural features and landmarks and shall minimize the visual impact from Highways 50 and CR 107.
 - **8.02.3** All permanent buildings shall be set back a minimum of two hundred and fifty (250) feet from the edge of the South Arkansas River channel.
 - **8.02.4** All development shall be designed so that for the given location, egress points, grading and other elements of the development could not be reasonably altered to:
 - Reduce the number of access points onto a collector or local street.
 - Minimize adverse impacts on any existing or planned residential uses.
 - Improve pedestrian or vehicle safety within the site and exiting from it.
 - Reduce the visual intrusion of parking areas, screened storage areas and similar accessory areas and structures.
 - **8.02.5** All development shall respect and complement existing development on abutting sites. This shall include:
 - Provision for consolidating access points with abutting properties through joint access easements or other negotiated means;
 - Provision for making sidewalks, trails and paths contiguous with abutting properties;
 - Compatible massing and scale
 - **8.02.6** A variety of housing styles is strongly encouraged; therefore, model types shall vary.
 - A variety of roof forms is permitted, though low-sloping or "flat" roofs shall be limited to two for every eight structures.
 - Natural materials such as wood siding and masonry are encouraged.

- Affordable units shall be designed with the same quality of exterior finishes as market-rate units.
- **8.02.7** Vehicular access and garages, carports, or other private vehicle storage shall be accessed from an alley or parking court.
 - Provide either a building or a landscaped area at least ten (10) feet wide containing dense planting between the front property line of any use and an outdoor parking or service area.
 - Surface parking lots are encouraged to use permeable surfaces (gravel, permeable paving, or other permeable surface.)
 - No street-facing garages shall be allowed.

8.02.8 Parking Standards

- Commercial uses shall be required to provide a minimum of 1 parking space per 1,000 SF of the commercial use
- Residential uses shall be required to provide a minimum of 1 parking space per unit.
- **8.02.9** Orient buildings to take best advantage of solar access.
- **8.02.10** In order to create usable private open spaces for residences in this area, front yards shall be used for outdoor patio space or for a landscaped buffer space. It shall not be used for the storage of anything other than patio/porch furniture.
- **8.02.11** Primary building entrances should be oriented towards streets, parks, or pedestrian ways. Any multi-story building should have one clearly identifiable "front door."
- **8.02.12** Ensure exterior walls are designed on a pedestrian scale by:
 - Fragmenting them into smaller or multiple structures;
 - Providing mature landscaping and manipulating the land form;
 - Placing wall texture at eye-level;
 - Clustering of small scale elements such as planter walls around the primary structure;
 - Ensure that the ground floor uses are oriented toward the pedestrian with storefronts (where applicable), front porches, stoops, or patios that open onto the sidewalk as well as other pedestrian oriented spaces;
 - Minimize the visual impact of service areas, refuse storage and mechanical/electrical equipment on streets, open space and adjoining development. For multifamily, mixed use, or commercial, civic, or education facilities, storage and refuse containers must be screened with impervious fencing or plantings.
- **8.02.13** Courtyards or green spaces between residential uses shall be designed to accommodate a sidewalk/path and outdoor amenities such as, but not limited to: seating

areas, garden beds (edible or aesthetic), pollinator gardens, small pavilions, stormwater gardens, or other amenity.

• Front doors and porches of residential units shall front onto the courtyard/common space.

GATEWAYS AND CIRCULATION DESIGN STANDARDS

8.02.14 Gateways:

• Gateway elements at entry points to the neighborhood (at CR 107 entry and Highway 50/CR 104 intersection) shall be provided and be primarily architectural elements and not signs, although graphic elements are allowed.

8.02.15 Transportation System/Vehicular Access:

- The "spine" road connecting CR 107 to CR 104 shall serve as a primary connection to the South Ark Neighborhood and shall be designed as a multimodal street with ample space adjacent to the curb to promote healthy, long-term tree growth.
- The street network shall be laid out as shown in Exhibit C. Any modifications to the proposed street grid shall be presented with proper reasoning and determined appropriate by the Community Development Director.
 - Rectangular blocks shall be a minimum of 180-feet wide.
 - The street network shall consider opportunities for future connections to CR 107, as shown in Exhibit C.
- All subdivisions within the South Ark Neighborhood shall provide an adaptable and interconnected transportation system that encourages alternative modes of transportation, disperses traffic, and provides streets that accommodate multiple modes of transportation including motor vehicles, bicycles, and pedestrians.
- Safe and efficient movement of vehicles, pedestrians and bicyclists is an
 important attribute of the South Ark Neighborhood. Uninterrupted pedestrian
 ways shall be maximized in order to improve or support the subarea as a walkable
 neighborhood.
- The width of driveways and curb cuts shall be minimized to reduce the overall impact of vehicular access across a planned pedestrian path or trail.
- Sharing of vehicle entries between two adjacent lots is strongly encouraged.
- Ensure all subareas have included a clearly defined connection to the regional trail system.

ENVIRONMENTAL DESIGN STANDARDS

Note that the model energy code and building codes shall supersede these standards, whichever is more stringent.

8.02.16 Orient buildings to take best advantage of solar access.

- Buildings should be designed to plan for the application of solar panels.
- Consideration of passive solar design opportunities should be provided.

8.02.17 Limit water use.

- Buildings should utilize water-saving fixtures and appliances.
- Landscaping should include water-wise, indigenous plant species.
- Consider the use of well irrigation for maintenance and watering of the flexible field uses.

8.02.18 Natural disaster preparedness.

- Buildings within the fluvial hazard buffer shall be elevated or the site shall be graded to alleviate the risk of flooding.
- Buildings shall include an appropriate buffer around their perimeter that does not include combustible materials.
- Stormwater detention elements should be considered in common areas such as courtyards, public parks, and yards to prevent the risk of flooding.

Section Eight

The Transportation Network Map shall be created as shown in Exhibit C, attached hereto, which shall amend the South Ark Neighborhood portion of Exhibit C "Circulation Map" as shown in the 2011 Vandaveer Ranch Overall Development Plan amendment.

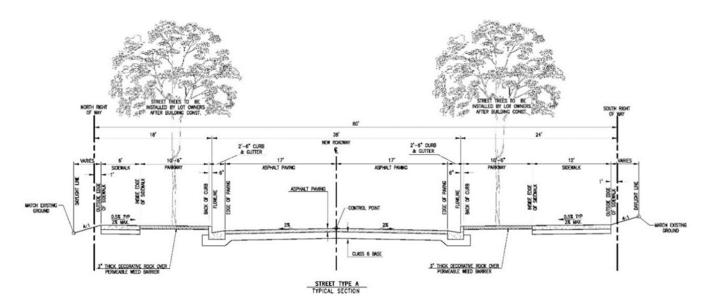
Additionally, Section 8.05.4 of Article 8 of the Vandaveer Ranch Planned Development District Overall Development Plan, entitled "Street and Streetscape Design," shall be amended to by the addition of subsection 8.05.4.1, to read in its entirety as follows:

8.05.4.1 Street and Streetscape Design Specific to the South Ark Neighborhood Planned Development Modification area:

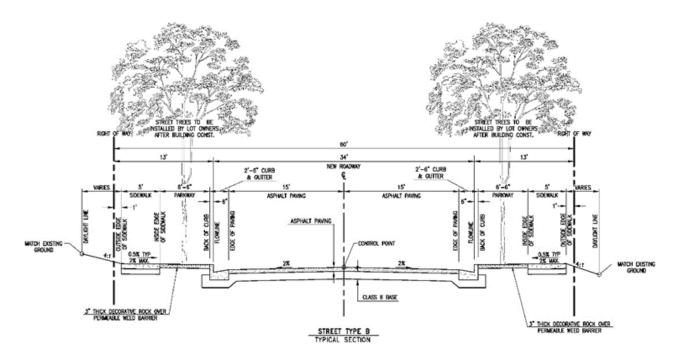
• Street Type 'A' (80' R.O.W.) – An east-west "spine road" connecting CR107 at the west to CR104 to the east, provides two points of access to the South Ark Neighborhood and Vandaveer Regional Park, while also providing helpful emergency access in the case of a county roadway closure. While this roadway is primarily responsible for east-west circulation across the site for vehicles, it is still intended to have a slower design speed, with ample tree lawns, and a clear multimodal emphasis by way of a well-separated multi-use path on the south side of the roadway. As shown in the street section below, the street type includes a 38' roadway (two 11' travel lanes, along with 8' parallel parking on each side of the roadway); an 11' tree lawn (6" curb and 10'-6" parkway) on each side of the roadway; a 6' sidewalk on the north side of the roadway; a 12' multi-use path on the south side of the roadway; and a 1' buffer from back of sidewalk/multi-use path to the adjacent property line. Note that depending on parking demand estimated at time of development, the spine road could potentially eliminate the southern parking lane in some areas (especially where no residences are adjacent to the

street) in lieu of more space for landscaping, bicyclists, and pedestrians. Final street section should be determined during final design.

- The full build-out of Street Type 'A' will likely be constructed in phases, to help distribute the infrastructure costs to the project over time. The interim condition of the roadway shall be similar to that of Street Type 'C,' outlined below, so that access is maintained across the site, and to the recreation amenities, but at a lesser infrastructure expense.
 - The interim condition of the spine road (similar to that of Street Type 'C') shall be constructed to the specification of Street Type 'A' as the development advances from one phase into another, or whenever the City deems it to be necessary for the circulation and safety of the development.



- Street Type 'B' (60' R.O.W.) The typical street type within the South Ark Neighborhood, Street Type 'B' is intended to be a pedestrian-friendly, lower design speed street, with ample tree lawns. As shown in the street section below, the street will include a 34' roadway (two 9' travel lanes, along with 8' parallel parking on each side of the roadway); a 7' tree lawn (6" curb and 6'-6" parkway) on each side of the roadway; a 5' sidewalk on each side of the roadway; and a 1' buffer from back of sidewalk to the adjacent property line.
 - o **Street Type 'B2'** (65' R.O.W.) A slight variation of Street Type 'B' that would be applicable only to the north-south street shown on Exhibit C. This variation expands the R.O.W. 5' to the east, in order to facilitate a 10' multiuse trail (in lieu of the 5' sidewalk in the typical Street Type 'B' section below) to provide enhanced connectivity from Street Type 'A' up to the pedestrian bridge over the South Arkansas River, and to the trail amenities in



Vandaveer Regional Park.

- Street Type 'C' (60' 80' R.O.W.) A more rural street type that will serve as a recreation access road and, as noted above, an interim condition for the spine road, until the full build-out to Street Type 'A.' The street will include a minimum of 11' wide travel lanes, surfaced with a minimum of four-inch compacted aggregate base with a dust control application; and shoulders that are a minimum of 8' wide, constructed with a compacted road base.
 - The 60' to 80' of dedicated R.O.W. is intended to provide flexibility to the City long-term, should there be a desire to build-out the roadway in a manner similar to that of Street Type 'A' or 'B' in the future.
- Street Type 'D' (20' R.O.W.) While not technically a "street," this serves as the typical alley R.O.W. within the South Ark Neighborhood. There shall be a minimum width of 16' within the center of the R.O.W., and 20' of width is encouraged adjacent to commercial uses.

Connectivity to Surrounding Area

Hwy 50 – Comfortable bicycle and pedestrian connections to/across Hwy 50 will provide critical connectivity to the South Ark Neighborhood and Vandaveer Regional Park.

• The existing connection and pedestrian crossing at Hwy 50 and Milford Street, which connects to the pedestrian bridge at the northwest corner of the Vandaveer Regional Park should be retained and enhanced, if necessary.

• At the northeast corner of Vandaveer Regional Park, there is a 15' easement providing connectivity to/from Hwy 50. A trail should be constructed along this easement, along with an additional pedestrian bridge over the South Arkansas River at this location. At Hwy 50, a pedestrian crossing should be implemented - RRFB and/or pedestrian refuge island, similar to the crossing at Hwy 50 and Milford Street – to ensure a safe crossing from this new trail to/from Caldwell Street.

CR 104 – This is the main existing vehicular access point to Vandaveer Regional Park. It will continue to function in its current state until development of the adjacent parcels. CR 104 should be upgraded to include pedestrian and bicycle facilities when adjacent development allows for dedication of additional right of way. The utility highway crossing installed as part of the South Ark Neighborhood will make the large parcels on both sides of CR 104 more development-ready. The challenges to development of these adjacent parcels are entitlement (annexations or PD amendments are required) and highway access. A traffic signal will likely be required when the 48-acre parcel south of CR 104 develops.

CR 107 – This is the main vehicular connection between the City of Salida and South Ark Neighborhood due to proximity and the existing traffic signal at Highway 50. There are currently no pedestrian or bicycle facilities, and the addition of such is not currently feasible due to right of way constraints. Cooperation between adjacent private property owners, Tennassee Ditch water users, the City of Salida, and Chaffee County is needed to secure right of way for pedestrian and bicycle facilities as soon as possible. Until then, the existing ped/bike bridge will provide safe access to the South Ark Neighborhood and Vandaveer Regional Park for those who aren't comfortable using CR 107. In addition, the City of Salida and Chaffee County should follow up with SSG Holdings, LLC to the southwest of the site, to facilitate ped and bike access from South Ark Neighborhood to the Methodist Mountain trail system.

Future potential transit connections and locations should be explored in the future to provide additional connectivity and access to the South Ark Neighborhood and Vandaveer Regional Park from Hwy 50.

Section Nine

This Ordinance shall not have any effect on existing litigation and shall not operate as an abatement of any action or proceeding now pending under or by virtue of any ordinance repealed or amended as herein provided, and the same shall be construed and concluded under such prior ordinances.

Section Ten

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

INTRODUCED ON FIRST READING ORDERED PUBLISHED IN FULL, other than I shall be on record with the City Clerk's office, in of Salida by the City Council on the day o and public hearing on the 21st day of November,	n a newspaper of general circulation in the City f, 2023 and set for second reading
INTRODUCED ON SECOND READIPUBLISHED IN FULL, by the City Council on to	NG, FINALLY ADOPTED and ORDERED he 21st day of November, 2023.
	CITY OF SALIDA, COLORADO
	Dan Shore, Mayor
[SEAL]	
ATTEST:	
City Clerk/Deputy Clerk	
PUBLISHED IN FULL in the Mountain Mount	Mail after First Reading on the day of final adoption on the day of,
	City Clerk/Deputy City Clerk

Exhibit A: South Ark Neighborhood Entitlements Map

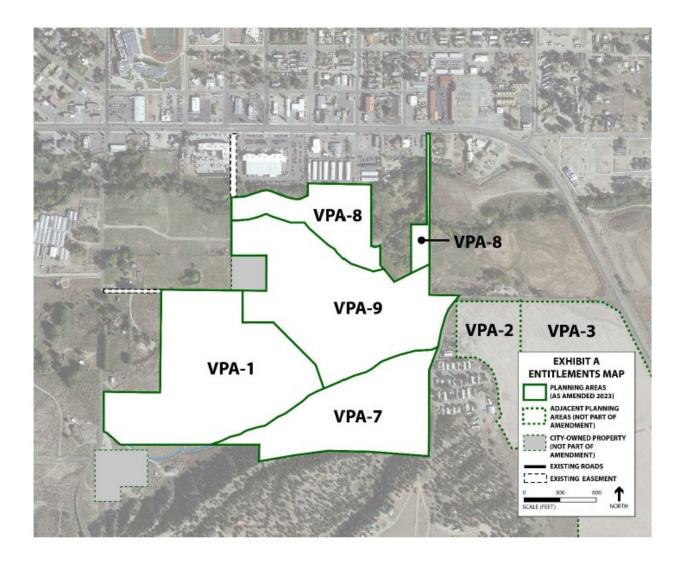


Exhibit B: South Ark Neighborhood Zone District Map

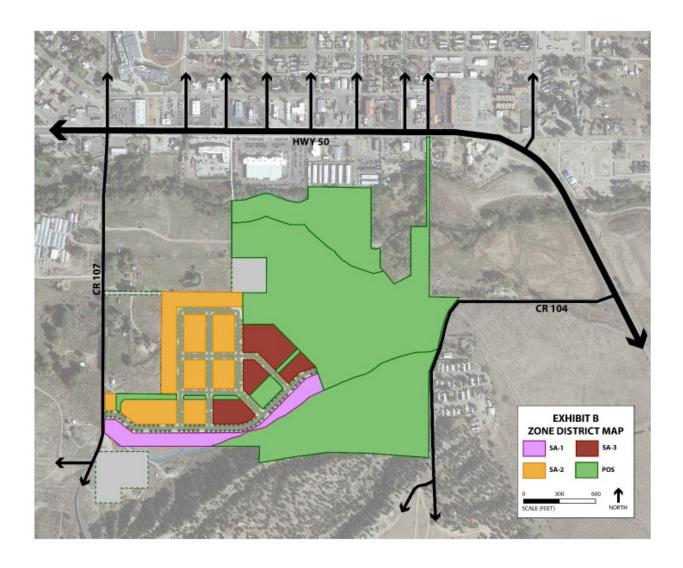


Exhibit C: South Ark Neighborhood Transportation Network Map

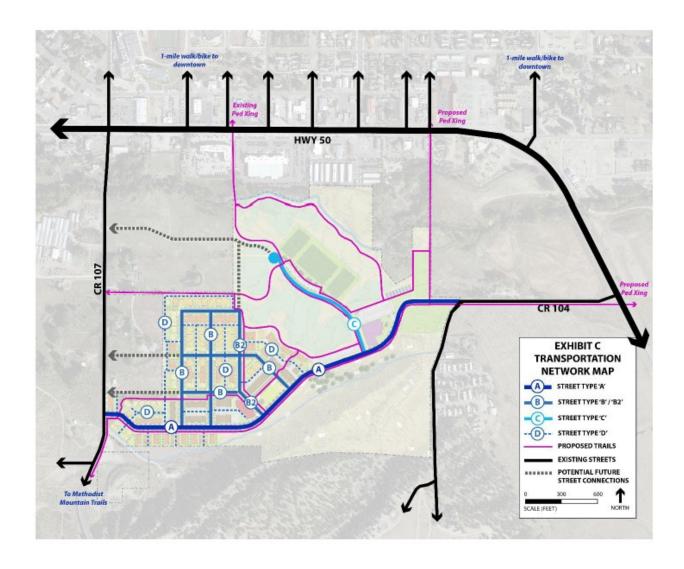
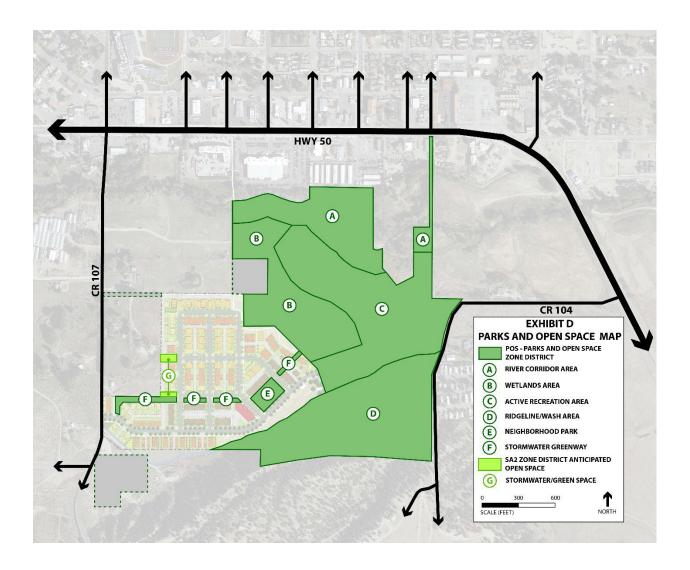


Exhibit D: South Ark Neighborhood Parks and Open Space Map



Item 8.

GENERAL DEVELOPMENT APPLICATION

448 East First Street, Suite 112 Salida, CO 81201

Phone: 719-539-4555 Fax: 719-539-5271 Email: planning@cityofsalida.com

1. TYPE OF APPLICATION (Check-off as app	propriate)
 □ Annexation □ Pre-Annexation Agreement □ Appeal Application (Interpretation) □ Certificate of Approval □ Creative Sign Permit □ Historic Landmark/District □ License to Encroach □ Text Amendment to Land Use Code □ Watershed Protection Permit □ Conditional Use 	□ Administrative Review: (Type) □ Limited Impact Review:(Type) □ Major Impact Review: (Type) PD Modification □ Other:
2. GENERAL DATA (To be completed by the	e applicant)
A. Applicant Information Name of Applicant: City of Salida	
Mailing Address: 448 E. First Street Salida, C	CO 81201
740 500 0004	FAX:
Email Address: bill.almquist@cityofsalida.cor	<u>m</u>
Power of Attorney/ Authorized Representative:(Provide a letter authorizing agent to represent yo telephone number, and FAX)	ou, include representative's name, street and mailing address,
B. Site Data	
Name of Development: Vandaveer Ranch Plann	ned Development- South Ark Neighborhood
Street Address: N/A (City-owned area of Vanda	aveer Ranch PD)
Legal Description: Lot Block Subc	division (attach description)
	rtgages, liens, easements, judgments, contracts and agreements that ertificate from a title insurance company, deed, ownership and umentation acceptable to the City Attorney)
correct to the best of my knowledge.	at the information and exhibits herewith submitted are true and
Signature of applicant/agent	nquist
Signature of property owner	Date

Item 8.



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

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 <u>all</u> of the provisions of the Land Use Code.

1.	PRO	CED	URE	(Section	16-3-80
1.	1110	\mathbf{c}		OCCUOII	10-5-00

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

/. Hear	ing Conducted by City Council (Major Impact Keview)
B. 1. A	Application Contents (City Code Section (16-3-50) General Development Application
	copy of a current survey or the duly approved and recorded subdivision plat covering the subject lots nere 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. S	special Fee and Cost Reimbursement Agreement completed. *major impact only
5.	Public Notice.
a)	List. A list shall be submitted by the applicant to the city of adjoining property owners' names and addresses. A property owner is considered adjoining if it is within 175 feet of the subject property regardless of public ways. The list shall be created using the current Chaffee County tax records.

- 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.
- Applicant is responsible for posting the property and submittal of proof of posting the public notice.

- 6. Developments involving construction shall provide the following information:
 - (i) A development plan map, at a scale of one (1) inch equals fifty (50) feet or larger with title, date, north arrow and scale on a minimum sheet size of eight and one-half (8½) inches by eleven (11) inches, which depicts the area within the boundaries of the subject lot, including:
 - a. The locations of existing and proposed land uses, the number of dwelling units and the square footage of building space devoted to each use;
 - b. The location and dimensions, including building heights, of all existing and proposed Buildings or structures and setbacks from lot lines or building envelopes where exact dimensions are not available;
 - c. Parking spaces;
 - d. Utility distribution systems, utility lines, and utility easements;
 - e. Drainage improvements and drainage easements;
 - f. Roads, alleys, curbs, curb cuts and other access improvements;
 - g. Any other improvements;
 - h. Any proposed reservations or dedications of public right-of-way, easements or other public lands, and
 - i. Existing topography and any proposed changes in topography, using five-foot contour intervals or ten-foot contour intervals in rugged topography.
 - (ii) 24" x 36" paper prints certified by a licensed engineer and drawn to meet City specifications to depict the following:
 - a. Utility plans for water, sanitary sewer, storm sewer, electric, gas and telephone lines;
 - b. Plans and profiles for sanitary and storm sewers; and
 - c. Profiles for municipal water lines; and
 - d. Street plans and profiles.
 - (iii) Developments in the major impact review procedure shall provide a development plan map on paper prints of twenty-four (24) inches by thirty-six (36) inches, with north arrow and scale, and with title and date in lower right corner, at a scale of one (1) inch equals fifty (50) feet or larger which depicts the area within the boundaries of the subject lots and including those items in Section 16-3-40(a)(3).

7. Any request	for zoning ac	ction, including	g review criteria	for a requested	l conditional u	se (Sec. 16-4-	-190) or
zoning varia	ance (Sec. 16-	-4-180);					

8. Any subdivision request including a plat meeting the requirements of Section 16-6-110;
9. Any other information which the Administrator determines is necessary to determine whether the proposed
development complies with this Code, including but not limited to the following:

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

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

- (ix) An analysis shall be submitted addressing how water for domestic use and for fire flows is to be provided, along with the collection and treatment of sewage generated by the property to be subdivided.
- (x) A statement shall be submitted addressing the quantity, quality and availability of any water that is attached to the land.
- (xi) A preliminary estimate of the cost of all required public improvements, tentative development schedule (with development phases identified), proposed or existing covenants and proposed maintenance and performance guarantees. The applicant shall submit, at least in summary or outline form, any agreements as may be required by Section 16-2-70, relating to improvements and dedications.
- (xii) If intending to use solar design in the development, include a description of the steps that have been taken to protect and enhance the use of solar energy in the proposed subdivision. This shall include how the streets and lots have been laid out and how the buildings will be sited to enhance solar energy usage.
- (xiii) If applicable, a report shall be submitted identifying the location of the one-hundred-year floodplain and the drainageways near or affecting the property being subdivided. If any portion of a one-hundred-year floodplain is located on the property, the applicant shall also identify the floodway and floodway fringe area. The applicant shall also describe the steps that will be taken to ensure that development locating in the floodway fringe area is accomplished in a manner which meets Federal Insurance Administration standards.
- (xiv) If applicable, a report shall be submitted on the location of wetlands, as defined by the U.S. Army Corp of Engineers, on or affecting the property being subdivided. The report shall outline the development techniques planned to ensure compliance with federal, state and local regulations.
 - (xv) A landscape plan, meeting the specifications of Section 16-8-90.
- (xvi) If applicable, a description of how the proposal will comply with the standards of any of the overlays.
- (xvii) A site plan for parks, trails and/or open space meeting the requirements of Section 16-6-110 below. If an alternate site dedication or fee in lieu of dedication is proposed, detailed information about the proposal shall be submitted.
- (xviii) All development and subdivision naming shall be subject to approval by the City. No development or subdivision name shall be used which will duplicate or be confused with the name of any existing street or development in the City or the County;

10. An access permit from the Colorado Department of Transportation; and	
11. A plan for locations and specifications of street lights, signs and traffic control devices.	

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

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

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

The PD modification is consistent with the City's Comprehensive Plan and its recently adopted Future Land Use Map (FLUM) as far as locating variable levels of density within the southwestern portion of the site and retaining the remaining areas primarily for parks, open space, and recreation. It also focuses new development within the Municipal Services Area to ensure adequate provision of services and to limit sprawl development outside the City, among many other objectives related to affordability.

- **2. Conformance to Code**. The use shall conform to all other applicable provisions of this Land Use Code, including, but not limited to:
 - a. Zoning District Standards. The purpose of the zone district in which it is located, the dimensional standards of that zone district, and any standards applicable to the particular use, all as specified in Article 5, Use and Dimensional Standards.

The site is controlled by an existing Overall Planned Development (ODP) which specifies the purposes and standards of individual subareas within the ODP. This application merely proposes to amend the already approved PD with standards that will assist in implementing the South Ark Neighborhood master plan, which has been developed over much of the last year.

b. Site Development Standards. The parking, landscaping, sign and improvements standards. Parking, landscaping, sign and improvements standards for the subarea are spelled out in the PD modification.

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.

Taken in its totality, and considering aspects such as the amount of open space created/protected, goals of providing housing (esp. affordable housing), and accounting for various view corridors from within the site and off-site, the primarily residential, recreational, and natural uses of the South Ark Neighborhood are both compatible with neighboring uses and enhance the mixture of complementary uses and activities in the immediate vicinity. The existing commercial uses to the north of the site and anticipated to the east of the site (within the Vandaveer PD) will complement the project very well.

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

The uses are primarily residential and recreational and will not create any undue impacts. The size of the site, itself, provides an adequate buffer from many surrounding properties.

5. Facilities. There shall be adequate public facilities in place to serve the proposed use, or the applicant shall propose necessary improvements to address service deficiencies which the use would cause. Water, sewer, and electric are available in Highway 50 and/or CR 104 & 107. The City is currently proposing to extend such facilities into the interior of the site, pre-development.

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

The master planning process has been very intentional to avoid development in areas that would cause undue impacts on the natural surroundings, including the South Arkansas River and adjoining floodplain, wetlands, springs, topographic aspects, and other sensitive characteristics. Each element has been sited in locations to minimize such impacts.



Planned Development Amendment Narrative
November 1, 2023



In partnership with:











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Article 11: The South Ark Neighborhood Amendment to the Vandaveer Ranch Planned Development District Overall Development Plan

1- Executive Summary

In November 2022, the City of Salida kicked off a community master planning process for approximately 100 acres of City-owned land – the majority of which was purchased by the city in 2004 and included in the Vandaveer Ranch Overall Development Plan (planning areas VPA-1, VPA-7, VPA-8, and VPA-9) established in 2006 and updated in 2011. This area is the only remaining City-owned land that is part of the original Vandaveer Ranch purchase – the rest has been sold to private developers. The process included multiple stakeholder interviews, an initial master plan visioning exercise for the site, a design charrette where community members could create their own site plans, site walking tours, and multiple open houses, a project webpage and Facebook page for the community to stay involved.

Over the course of 11 months, the consulting team hired by the City with experts in land use, master planning, urban design, architecture, housing, civil engineering, environmental planning, and economic market specialists worked with the community and stakeholders to develop a master plan for the site. The final master plan aligns with the original intent for the site; however, some modifications to the Vandaveer Ranch Overall Development Plan (ODP) are needed to implement the updated vision. The result is a plan for a future residential neighborhood that seeks to serve the local workforce and meet critical affordable housing goals as well as a regional park and South Arkansas River corridor with various natural and recreational amenities for Salidans to enjoy for future generations.

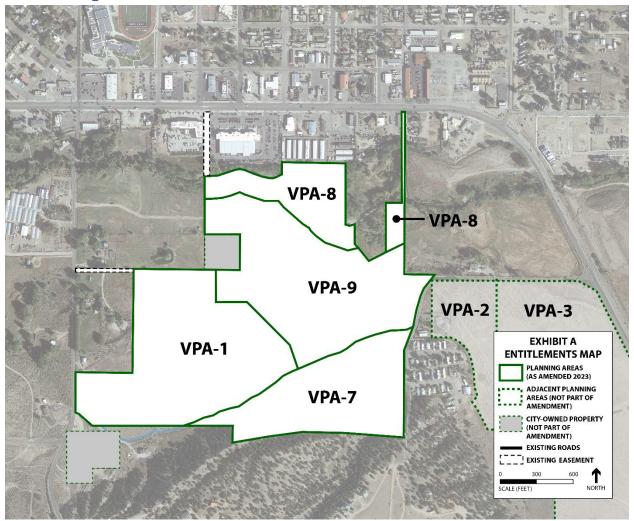
This document shall become part of a formal amendment to the Vandaveer Ranch ODP. The South Ark Neighborhood (SAN) Amendment area consists of **93.5** acres of land owned by the City of Salida. The 3.5-acre gravel pit area immediately southwest of the site and the 2-acre parcel the city purchased in 2022 (west of VPA-9) that is not currently annexed into the city are not included in the ODP but are considered in the master plan. The 0.9-acre land swap in VPA-9 (the "V" shaped area) has been included as part of the ODP (see Appendix D: Snyder/Salida Boundary Line Adjustment Plat.) The formerly named "Vandaveer Neighborhood" / VPA-1 is being amended to apply to the "South Ark Neighborhood" / VPA-1, and VPAs 7, 8, and 9 are being amended to apply to what is referred to in the master plan as "Vandaveer Regional Park". Descriptions of the planning areas are as follows:

VPA-1 – The goal of the South Ark Neighborhood (SAN) is to include up to 400 residential units
to serve a range of household incomes, ages/demographics, and housing types in a
neighborhood organized around a compact grid of neighborhood streets. A minimum of 75% of
all units should be restricted specifically for members of the Chaffee County workforce, and a
minimum of 50% of all units should be restricted for members of the Chaffee County workforce
at low- to moderate-income levels (refer to 3.3 – Affordable and Workforce Housing). The
residential neighborhood will also feature a stormwater swale "greenway" and approximately

0.6-acre neighborhood park. The blocks surrounding the neighborhood park also allow up to 25,000 square feet of non-residential square footage. This planning area shrank from its original acreage, as informed by 2023 ecological studies (wetland mapping and fluvial hazard mapping) and a robust community engagement and master planning process.

- VPA-7 The goal of this area is to preserve the ridgeline and adjacent wash for parks and open space. The majority of the Heart of the Rockies Disc Golf Course is situated on VPA-7 and is envisioned to remain; however, some holes may need to be adjusted in the future to accommodate roads and infrastructure. Additional active and/or passive recreation uses may be introduced in the future including, but not limited to formal hiking trails, a mountain bike pump track or other adventure course (climbing/ziplines), a dog park, or other use to be defined as community recreation needs emerge. A public restroom and trailhead are also envisioned for this area. This area also includes the Tenassee Ditch which will remain undisturbed.
- VPA-8 The goal of this area is to preserve the South Arkansas River and surrounding riparian area for open space and as a river sanctuary. The area will provide the river with ample space for natural ecological processes to occur, including room for the river to "breathe" during inevitable future flooding events. This area includes the land north of the river and extending to a 175-foot buffer south from the centerline of the river. This area should include an accessible riverwalk trail with fishing access and seating areas.
- VPA-9 The goal of this area is to expand active and passive recreation and community gathering opportunities for residents of Salida. This area is envisioned to include flexible sports fields, pickleball courts, trails, and an indoor civic/education building of up to 40,000 square feet that could include, but is not limited to: indoor sports courts, weightlifting room, climbing wall, multi-use rooms, restrooms, a daycare and/or other educational component, senior center, etc. This area may be used to accommodate public events such as festivals. This area would include parking to accommodate these uses. This area excludes the 2-acre property west of VPA-9 that was purchased by the city in 2022 because it is not currently annexed into the city. When annexation occurs, VPA-9 should be updated to include this parcel. The two-acre city-owned parcel on the west side of VPA-9 is intended to be added to the ODP/PD Modification area following annexation of the parcel and will be included in VPA-9.

2- Planning Area Entitlements



The following table shall replace the Vandaveer Ranch Planned Development District Overall Development Plan, Article 3, Section 3.01, Planning Area Entitlements Chart as follows (changes are indicated in red text):

Planning Area Entitlements Chart (as amended for South Ark Neighborhood in 2023):

Planning Areas	Zoning	Gross	Dwelling Units	Non-residential**
		Area	and Commercial	Development Square
			Lodging Units*	Footage
PROPOSED	Corresponding Zone	(Acres)	(up to and	(up to and including)
DEVELOPMENT	District		including)	
VPA-1	SA-1, SA-2, SA-3, POS	32.7	400	25,000
	per Article 11.			
	South Ark			
	Neighborhood****			
VPA-2	Transitional	15.6	130	30,000
	Residential			
VPA-3	Mixed Use Village	44.1	180 (includes	300,000
			commercial	
			lodging units)	
VPA-4	Mixed Use Village	21.7	125 (includes	100,000
			commercial	
			lodging units)	
VPA-5	R-3, RMU and C-1	15	289	125,000
	per Article 10.			
	Confluent Park***			
VPA-7	Open Space/Parks	19.4	0	2,500
VPA-8	Open Space/Parks	11.3	0	0
VPA-9	Open Space/Parks	30.1	0	40,000
Total		189.9	1,124 units	622,500 SF

^{*}This represents the total number of units but does not specify if they are single family, attached, or stacked units.

Changes from 2011 Vandaveer Ranch ODP Entitlements (as shown in red text above):

- Acreages for VPA-1, VPA-7, VPA-8, and VPA-9 have been recalculated based on the South Ark Neighborhood planning process.
 - O VPA-1 shrank from 63.4 acres to 32.7 acres.
 - O VPA-7 grew from 18.0 acres to 19.4 acres.
 - O VPA-8 shrank from 11.7 acres to 11.3 acres.
 - VPA-9 grew from 2.1 acres to 30.1 acres and includes the 0.9-acre land swap the City executed in 2022.

^{**}Non-residential square footage includes employment centers, retail, commercial, educational centers, active and passive recreational uses requiring built facilities, commercial lodging, services, arts and cultural facilities, research and development

^{***}See Article 10, Confluence Park Standards

^{****}See Article 11, South Ark Neighborhood Standards

- The total Vandaveer Ranch ODP area shrunk slightly from 191.6 acres to 189.9 acres, due the fact that a survey was conducted that established more accurate acreages.
- Non-residential square footage has been recalculated in the following ways:
 - VPA-8 shrank from 2,000 SF to 0 SF.
 - VPA-9 grew from 500 SF to 40,000 SF to accommodate a potential civic/educational center.

3- Zone Districts

Section 4.01 Purpose of the Development Zones should be amended as follows:

South Ark Neighborhood. This district is intended to provide an area for residential uses that increase the range of housing types and choice of housing styles within the community. Site and dimensional requirements are more flexible than what is allowed under the City's residential zone districts and are designed to promote innovative design and a greater choice of housing, promote housing affordability, and diverse home sizes to serve a mix of income levels. The size and location of the South Ark Neighborhood allows individual homes be oriented to take advantage of views and solar access.

Open Space / Parks and Recreation. Lands designated as Open Space or Parks and Recreation are shown on the zone district map as well as the Open Space, Parks, and Recreation Map. These areas make up the proposed "Vandaveer Regional Park" and shall remain as permanent open space and parks unless alternative open space or parks acceptable to the City is substituted. No improvements other than recreational/civic/educational facilities, trails, roads, and drainage facilities may be constructed in such open space areas.

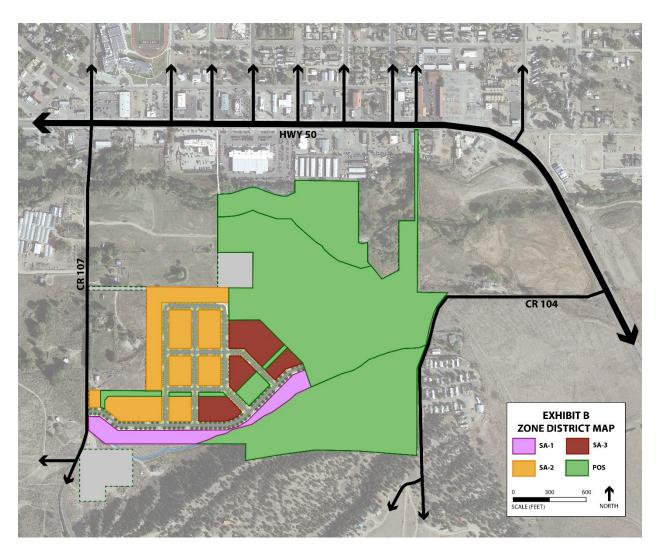
Section 4.02.6 Zone Districts Created should be amended as follows:

The following zone districts are hereby created for the South Ark Neighborhood and Vandaveer Regional Park. The land areas are shown on the Vandaveer Planned Development Zone Districts Map Exhibit B.

Three subarea zones are proposed within the South Ark Neighborhood (VPA-1):

- SA-1: South Ark Variable Residential this includes residential lots south of the primary eastwest "spine" road connecting CR107 to CR104. These lots are arranged around common courtyards to preserve views and provide areas for water to naturally drain toward the South Arkansas River from the south. This zone allows for single unit and attached-unit residential types at slightly lower densities and heights compared to other zone districts. Vehicular access is provided via alleys or shared parking courts.
- **SA-2:** South Ark Higher-Efficiency Residential this includes residential lots along the western and northern edges of VPA-1 as well as the central four blocks. These lots orient onto the public streets or the neighborhood greenway and allow for single unit, attached unit, and small multiunit residential types at medium densities and heights compared to other zone districts. Vehicular access is provided via alleys.
- **SA-3**: South Ark Residential Mixed-Use Center This includes the lots and blocks adjacent to the public park and regional park. These lots orient onto the public streets, neighborhood greenway, and the neighborhood park or regional park. Attached, multi-unit, and commercial/mixed uses

are allowed at the highest densities and heights compared to other zone districts. Vehicular access is provided via alleys or shared parking courts. Single-unit housing is not allowed in this zone.



3.1 Dimensional Standards

Section 5.03 "Vandaveer Neighborhood [VR-VN]" should be amended as follows:

5.03 South Ark Neighborhood (VPA-1)

Dimensional Standards for the subareas of the South Ark Neighborhood (SA-1, SA-2, and SA-3) are listed in the columns of Section 5.06 Table of Dimensional Standards, which replaced the column of Vandaveer Neighborhood in the original ODP.

The South Ark Neighborhood (VPA-1) zone districts shall replace the Vandaveer Neighborhood (VPA-1) zone district in Section 5.06 of the ODP, along with additional standards, as follows:

DIMENSIONAL STANDARD	(former) Vandaveer Neighborhood	SA-1	SA-2	SA-3	
Minimum Lot Area	3,000 sq. ft. per unit – res. 5,000 sq. ft. non res.	2,400 sq. ft. single family 1,600 sq. ft. attached	2,000 sq. ft. single family 1,200 sq. ft. attached	3,200 sq. ft. 5,000 non-res sq.ft.	
Minimum Lot Width	30'	30' single family 20' attached	25' single family 15' attached	15' attached N/A multi-family/non- residential	
Minimum Front Setback*	18' on one side, 5' on all other sides	15'	10'	10' residential 5' non-residential	
Minimum Side Setbacks		3' accessory structure 5' primary structure	3' accessory structure 5' primary structure	3' accessory structure 5' primary structure	
Minimum Rear Setbacks		5'	5'	5'	
Maximum Lot Coverage (paved parking and structures)	60%	60%	60%	90%	
Maximum Height – single family	35'	30', no more than 2- stories	30', no more than 2- stories	N/A	
Maximum Height – multi-family, non- residential, and mixed use	40', no more than 3 stories	30', no more than 2- stories	40', no more than 3 stories 30', no more than 2 stories fronting CR 107	40', no more than 3 stories	
Maximum Height – accessory buildings	25'	25'	25'	25′	
Maximum unit size (above grade)		2,000 sq. ft.	2,000 sq. ft.	2,000 sq. ft.	
Minimum Density (Max. lot SF per unit)		4,800 sq. ft./unit	4,000 sq. ft/unit	3,200 sq. ft./unit	
Maximum Density (Min. lot SF per unit)		1,600 sq. ft./unit	1,200 sq. ft./unit	N/A	

^{*}Up to 5-ft. encroachment allowed for covered porches.

3.2 Use Standards

Section 4.03 "Vandaveer Neighborhood" should be amended as follows:

4.03 South Ark Neighborhood

The South Ark Neighborhood subarea zone districts shall be reserved for a mix of residential types and sizes. Non-residential (commercial/mixed use/public) is allowed in SA-3 only. Single-family detached units are not allowed in SA-3. Short-term rentals shall not be allowed anywhere in the South Ark Neighborhood. All uses must meet parking and other use specific criteria of the Code unless stated otherwise in this PD. The following principal and accessory uses are allowed:

SA-1: South Ark Variable Residential

Principal Uses Permitted by Right:

- Single-family dwelling units
- Duplex dwelling units
- Residential Multi-Family (3-4 units)
- Attached townhomes with no more than eight (8) units per structure

Accessory Uses Permitted with Conditions (conditions in parentheses):

- Accessory dwelling units (shall comply with ADU dimensional requirements in code requirements and be located behind a principal use)
- Accessory buildings and structures (e.g. garage, shed, art studio, etc.)
- Home occupations (shall occupy no more than 30% of the gross floor area of the residence and have no exterior indication of nonresidential activity. The business owner or operator must reside within the dwelling unit in which the business is conducted.)

SA-2: South Ark Higher-Efficiency Residential

Principal Uses Permitted by Right:

- Single-family dwelling units
- Duplex dwelling units
- Residential Multi-Family (3-4 units)
- Attached townhomes with no more than eight (8) units per structure
- Residential Multi-Family (5-19 units)

Accessory Uses Permitted with Conditions (conditions in parentheses):

- Accessory dwelling units (shall comply with ADU dimensional requirements in code requirements and be located behind a principal use)
- Accessory buildings and structures
- Home occupations (shall occupy no more than 30% of the gross floor area of the residence and have no exterior indication of nonresidential activity. The business owner or operator must reside within the dwelling unit in which the business is conducted.)

SA-3: South Ark Residential Mixed Use Center

Principal Uses Permitted by Right:

- Duplex dwelling units
- Residential Multi-Family (3-4 units)
- Attached townhomes with no more than eight (8) units per structure
- Residential Multi-Family (5-19 units)
- Residential Multi-Family (20+ units)
- Eating and drinking establishments less than 10,000 SF
- Retail sales and rental establishments less than 10,000 SF
- Daycare facility

Accessory Uses Permitted with Conditions (conditions in parentheses):

- Accessory dwelling units (shall comply with ADU dimensional requirements in code requirements and be located behind a principal use)
- Accessory buildings and structures
- Home occupations (shall occupy no more than 30% of the gross floor area of the residence and have no exterior indication of nonresidential activity. The business owner or operator must reside within the dwelling unit in which the business is conducted.)

Uses Allowed by Administrative Review:

- Public/Institutional Uses (transit center, church/religious, clubs, community buildings, government administrative facility, group homes, park, public parking facility, recreation facility, school)
- Other Commercial Uses (e.g. offices, retail, etc.)
- Sports complexes and active recreational fields, whether public, semi-public or private which
 may include related commercial uses, such as snack bars and restroom facilities, instruction,
 equipment storage and maintenance facilities, including but not limited to ball fields and courts,
 playfields and playgrounds.
- Other uses not listed above that are deemed similar by the City Administrator or his/her designee.

POS: Open Space/Parks and Recreation – this zone district is intended to prohibit intensive development, to provide open space and civic/educational facilities (including potentially a recreation center) and to protect the floodplain and wetlands. Areas designated as either Parks or Open Space satisfies the Planned Development District requirement for open space dedication. The POS zone district includes three separate planning areas. The allowed uses for those planning areas are listed below and expand upon the uses outlined at Section 4.06 of the ODP:

VPA-1: South Ark Neighborhood

<u>Principal Uses Permitted by Right:</u>

• Neighborhood Park with uses that support surrounding residences such as: playground, grilling areas, lawn space, plaza area, shade structure(s), benches, kiosks/signage, etc.

- Neighborhood Greenway designed to support the flow of stormwater through the neighborhood to VPA-9. This area may include passive recreation space such as overlooks, small plazas with seating, etc.
- Stormwater/Green Space areas that are intended to be preserved as open space in the short-term but may be converted to street right-of-way in the future if redevelopment occurs to the west along CR 107.

VPA-7: Ridgeline/Wash Area

Principal Uses Permitted by Right:

 Trails, benches, kiosks/signage, disc golf, dog park, other active outdoor recreation, and public restrooms are allowed.

VPA-8: River Corridor

Principal Uses Permitted by Right:

• Trails, benches, kiosks/signage, outdoor education, and fishing are allowed.

VPA-9: Active Recreation Area

Principal Uses Permitted by Right:

- Active or passive recreational areas or facilities, both public and private, open or covered, (and
 which may include related recreational amenities such as, snack bars and restroom facilities,
 band shells, picnic areas, instruction, equipment storage and maintenance facilities), including,
 but not limited to fishing facilities, ballfields and courts, play fields and playgrounds, trails, dog
 park, community supported agriculture, community gardens, passive recreational and Open
 Space areas.
- A future daycare facility shall also be allowed.

3.3 – Affordable and Workforce Housing

This South Ark Neighborhood PD modification shall ensure and require that a minimum of seventy-five percent (75%) of all housing units constructed within the PD modification area be either "affordable workforce housing" or "non-income-based workforce housing," as defined herein and as further specified below. The additional requirements listed below shall override and supersede the City of Salida's Inclusionary Housing Ordinance requirements as found within the Salida Municipal Code:

"Chaffee County local workforce" shall be defined as those individuals earning their primary (80% or more) source of income at a business or employer within Chaffee County, as documented with the United States Internal Revenue Service and as further defined and certified by the City Administrator and his/her designee. Individuals over sixty (60) years of age shall be considered part of the Chaffee County local workforce if they have: (1) maintained their sole and primary residence within Chaffee County a minimum of 10 years; or (2) earned 80% or more of their primary source of income at a business or employer within Chaffee County, as documented with the United States Internal Revenue Service, for a

minimum of four (4) years over the last ten (10) years; *and* if they otherwise qualify for the deed-restricted units.

"Affordable workforce housing" is housing that is available and affordable to very low-income, low-income and middle-income households where members of such households are part of the Chaffee County local workforce as defined herein, and further specified immediately below:

- "Affordable workforce housing rental units" shall be defined as permanently deed-restricted residential rental units which are affordable to households earning between thirty percent (30%) and one hundred percent (100%) of Area Median Income (AMI) for Chaffee County, as defined annually by the Colorado Housing Finance Authority (CHFA).
- "Affordable workforce housing for-sale units" shall be defined as permanently deed-restricted residential for-sale units which are affordable to households earning between sixty percent (60%) and one hundred sixty percent (160%) of Area Median Income (AMI) for Chaffee County, as defined annually by the Colorado Housing Finance Authority (CHFA).

"Non-income-based workforce housing" shall be defined as deed-restricted housing that is available to individuals who are part of the Chaffee County local workforce as defined herein. Such housing shall not be based on income but shall be deed-restricted only for members of the Chaffee County local workforce for a minimum of 5 years from the date of initial sale.

Additional Requirements:

- A minimum of fifty percent (50%) of the total residential units within the South Ark
 Neighborhood PD modification area shall be permanently deed-restricted affordable workforce
 housing as defined herein and as further specified immediately below:
 - Of all the affordable workforce housing units, no fewer than forty percent (40%) shall be reserved for affordable workforce housing *rental* units, and no fewer than forty percent (40%) shall be reserved for affordable workforce housing *for-sale* units.
 - A minimum of half of the affordable workforce housing rental units must be deed-restricted affordable to households earning eighty percent (80%) or less of the AMI for Chaffee County, as defined annually by CHFA.
 - The average of all affordable workforce housing for-sale units must be deed-restricted affordable to households earning one hundred thirty percent (130%) or less of the AMI for Chaffee County, as defined annually by CHFA. Additionally, no more than fifteen percent (15%) of affordable workforce housing for-sale units shall be sold at prices affordable to households earning above one hundred forty percent (140%) of the AMI for Chaffee County, as defined annually by CHFA.
- Any residential units within the South Ark Neighborhood PD modification area owned by public or non-profit housing entities, such as the Chaffee Housing Authority or the Chaffee Housing Trust, are exempt from the AMI and deed-restriction requirements set forth herein, but such residential units may count toward the fifty percent (50%) overall affordable workforce housing units requirement.

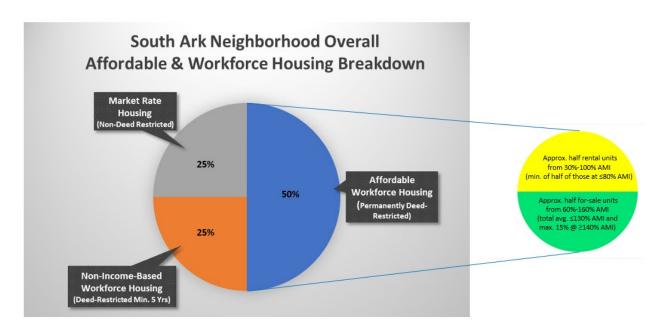
- A minimum of twenty-five percent (25%) of total residential units within the PD amendment area shall be deed-restricted non-income-based workforce housing as defined herein. Such deed restrictions on all non-income-based workforce housing shall apply for a minimum of 5 years.
- The deed-restricted affordable workforce housing units and non-income-based workforce housing units in each zone district (and phase) shall be built at substantially the same time as the non-deed-restricted residential units.
 - Certificates of occupancy (COs) shall be given at a maximum of three (3) non-deed-restricted residential units for every one (1) deed-restricted unit.
- Short Term Rental Unit(s) shall not be permitted anywhere in the South Ark Neighborhood PD modification area.
- Accessory Dwelling Units (ADUs) are encouraged but not required. They are permitted on attached and detached single family lots to assist in furthering the goals of serving the affordable and workforce housing needs of the County and City, but do not count towards the residential unit maximum or affordable or workforce housing requirements. See maximums ADU allotments further below.

Each of the zone districts include a minimum and maximum number of units allowed as well as a percentage affordable target, as defined in the table below with the goal that the sum of deed-restricted affordable units in total for VPA-1 is at least 50% as defined above.

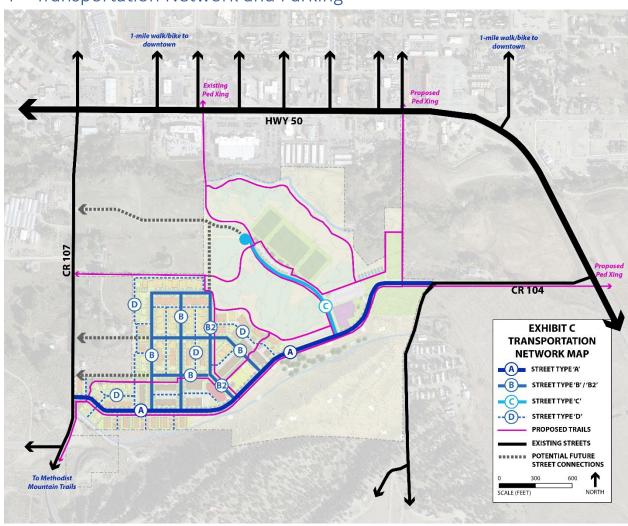
Residential Minimums/Maximums and Affordability Targets

Zone District	Net Area (acres)	Units (min)	Units (max)	ADU (max)	% of total units affordable target
SA-1	3.9	20	30	10	10%
SA-2	10	140	155	15	55%
SA-3	6.4	190	215	5	55%
TOTAL	20.3	350	400	30	50%

Single-family housing shall be controlled to ensure appropriate densities and affordability targets. The maximum percentage of units allowed as single-family detached dwellings shall not exceed 7.5% of the overall units allowed, or 30 total single-family detached dwellings.



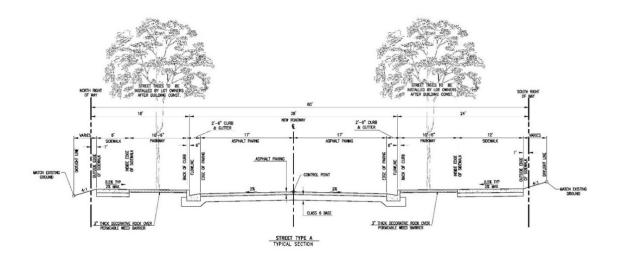
4 – Transportation Network and Parking



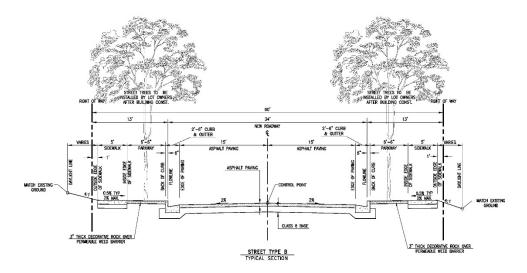
Street Types

As shown in the Exhibit C: Transportation Network Map, there are 4 typical street types envisioned to be applicable to the South Ark Neighborhood and Vandaveer Regional Park areas which complement design elements of 8.05.4 of the ODP:

- Street Type 'A' (80' R.O.W.) An east-west "spine road" connecting CR107 at the west to CR104 to the east, provides two points of access to the South Ark Neighborhood and Vandaveer Regional Park, while also providing helpful emergency access in the case of a county roadway closure. While this roadway is primarily responsible for east-west circulation across the site for vehicles, it is still intended to have a slower design speed, with ample tree lawns, and a clear multi-modal emphasis by way of a well-separated multi-use path on the south side of the roadway. As shown in the street section below, the street type includes a 38' roadway (two 11' travel lanes, along with 8' parallel parking on each side of the roadway); an 11' tree lawn (6" curb and 10'-6" parkway) on each side of the roadway; a 6' sidewalk on the north side of the roadway; a 12' multi-use path on the south side of the roadway; and a 1' buffer from back of sidewalk/multi-use path to the adjacent property line. Note that depending on parking demand estimated at time of development, the spine road could potentially eliminate the southern parking lane in some areas (especially where no residences are adjacent to the street) in lieu of more space for landscaping, bicyclists, and pedestrians. Final street section should be determined during final design.
 - o The full build-out of Street Type 'A' will likely be constructed in phases, to help distribute the infrastructure costs to the project over time. The interim condition of the roadway shall be similar to that of Street Type 'C,' outlined below, so that access is maintained across the site, and to the recreation amenities, but at a lesser infrastructure expense.
 - The interim condition of the spine road (similar to that of Street Type 'C') shall be constructed to the specification of Street Type 'A' as the development advances from one phase into another, or whenever the City deems it to be necessary for the circulation and safety of the development.



- Street Type 'B' (60' R.O.W.) The typical street type within the South Ark Neighborhood, Street Type 'B' is intended to be a pedestrian-friendly, lower design speed street, with ample tree lawns. As shown in the street section below, the street will include a 34' roadway (two 9' travel lanes, along with 8' parallel parking on each side of the roadway); a 7' tree lawn (6" curb and 6'-6" parkway) on each side of the roadway; a 5' sidewalk on each side of the roadway; and a 1' buffer from back of sidewalk to the adjacent property line.
 - Street Type 'B2' (65' R.O.W.) A slight variation of Street Type 'B' that would be



applicable only to the north-south street shown on Exhibit C. This variation expands the R.O.W. 5' to the east, in order to facilitate a 10' multi-use trail (in lieu of the 5' sidewalk in the typical Street Type 'B' section below) to provide enhanced connectivity from Street Type 'A' up to the pedestrian bridge over the South Arkansas River, and to the trail amenities in Vandaveer Regional Park.

- Street Type 'C' (60' 80' R.O.W.) A more rural street type that will serve as a recreation access road and as noted above, an interim condition for the spine road, until the full build-out to Street Type 'A.' The street will include a minimum of 11' wide travel lanes, surfaced with a minimum of four-inch compacted aggregate base with a dust control application; and shoulders that are a minimum of 8' wide, constructed with a compacted road base.
 - The 60' to 80' of dedicated R.O.W. is intended to provide flexibility to the City long-term, should there be a desire to build-out the roadway in a manner similar to that of Street Type 'A' or 'B' in the future.
- Street Type 'D' (20' R.O.W.) While not technically a "street," this serves as the typical alley R.O.W. within the South Ark Neighborhood. There shall be a minimum width of 16' within the center of the R.O.W., and 20' of width is encouraged adjacent to commercial uses.

Connectivity to Surrounding Area

Hwy 50 – Comfortable bicycle and pedestrian connections to/across Hwy 50 will provide critical
connectivity to the South Ark Neighborhood and Vandaveer Regional Park.

- The existing connection and pedestrian crossing at Hwy 50 and Milford Street, which connects to the pedestrian bridge at the northwest corner of the Vandaveer Regional Park should be retained and enhanced, if necessary.
- At the northeast corner of Vandaveer Regional Park, there is a 15' easement providing connectivity to/from Hwy 50. A trail should be constructed along this easement, along with an additional pedestrian bridge over the South Arkansas River at this location. At Hwy 50, a pedestrian crossing should be implemented RRFB and/or pedestrian refuge island, similar to the crossing at Hwy 50 and Milford Street to ensure a safe crossing from this new trail to/from Caldwell Street.
- CR 104 This is the main existing vehicular access point to Vandaveer Regional Park. It will continue to function in its current state until the development of the adjacent parcels. CR 104 should be upgraded to include pedestrian and bicycle facilities when adjacent development allows for dedication of additional right of way. The utility highway crossing installed as part of the South Ark Neighborhood will make the large parcels on both sides of CR 104 more development ready. The challenges to development of these adjacent parcels are entitlement (annexations or PD amendments are required) and highway access. A traffic signal will likely be required when the 48-acre parcel south of CR 104 develops.
- CR 107 This is the main vehicular connection between the City of Salida and South Ark Neighborhood due to proximity and the existing traffic signal at Highway 50. There are currently no pedestrian or bicycle facilities, and the addition of such is not currently feasible due to right of way constraints. Cooperation between adjacent private property owners, Tennassee Ditch water users, the City of Salida, and Chaffee County is needed to secure right of way for pedestrian and bicycle facilities as soon as possible. Until then, the existing ped/bike bridge will provide safe access to the South Ark Neighborhood and Vandaveer Regional Park for those who aren't comfortable using CR 107. Future extension of the river trail between the pedestrian bridge and CR 107 should also enhance connectivity to/from Highway 50 in this area. In addition, the City of Salida and Chaffee County should follow up with SSG Holdings, LLC to the southwest of the site, to facilitate ped and bike access from South Ark Neighborhood to the Methodist Mountain trail system.

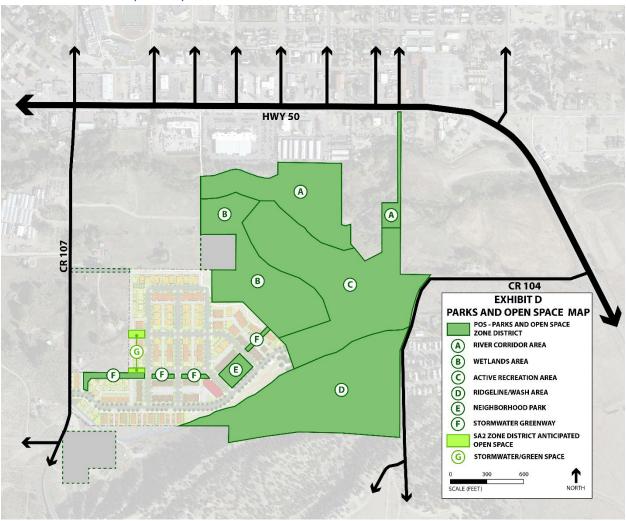
Future potential transit connections and locations should be explored in the future to provide additional connectivity and access to the South Ark Neighborhood and Vandaveer Regional Park from Hwy 50.

Estimated Trip Generation

SOUTH ARK NEIGHBORHOOD																OR	ABTREE
Summary of Trip Generation																GR	JOP INC.
	ize				Daily		AM P	eak-Ho	our Trip	Ends			PM P	eak-Ho	our Trip	Ends	
Land Use	Code	Inten	sity	Rate	Trip			ı	n	0	ut			- 1	n	0	ut
	Couc				Ends	Rate	Total	%	Trips	%	Trips	Rate	Total	%	Trips	%	Trips
Single Family Detached Housing	210	10	DU	9.57	96	0.75	8	25%	2	75%	6	1.01	10	63%	6	37%	4
Apartments	220	200	DU	6.65	1,330	0.51	102	20%	20	80%	82	0.62	124	65%	81	35%	43
Condominiums/Townhouses	230	190	DU	5.81	1,104	0.44	84	17%	14	83%	69	0.52	99	67%	66	33%	33
City Park	411	30	AC	1.59	48	0.01	0	61%	0	39%	0	0.01	0	53%	0	47%	0
Rec Center	540	30	KSF	2.31	69	2.69	81	53%	43	47%	38	2.39	72	40%	29	60%	43
Soccer Complex	488	3	FLD	71.33	214	1.40	4	50%	2	50%	2	20.67	62	69%	43	31%	19
Total					2,861		278		82		197		367		225		142

Note the "City Park" is in reference to the small neighborhood park and is intended to serve the directly adjacent residents, who will most likely walk to the park rather than drive. No substantial trips are estimated for this reason.

5 – Parks and Open Space



Note that the original Vandaveer Ranch PD open space requirements were satisfied via the inclusion of VPAs 7, 8, and 9 and therefore no additional open space dedication or fee in lieus will be required. The Vandaveer Regional Park will be a City-owned and maintained public park of 60.8 Acres, with three distinct use zones, as described below. Trails within the site are to be provided by the City – 8' minimum for paved and 5' for unpaved – when feasible, and in locations generally aligned with the Exhibit C: Transportation Network Map.

A - Vandaveer Regional Park – River Corridor Area

This 11.3-acre area of open space in VPA-8 within the Vandaveer Regional Park is intended to be one of the most undisturbed and natural open spaces in the area. It should be the backbone of a South Arkansas River sanctuary, in which trees, naturally shifting channels, wetlands, beaver ponds, etc. are all preserved, and only supplemented with environmentally sensitive trails. This area should remain an area for birding and wildlife habitat and should include opportunities for environmental education along the river corridor. Initiatives by local environmental groups for grants to design and build river restoration projects should be encouraged.

The northeast portion of this area should leverage the connectivity opportunity presented by the 15' north-south easement extending up to Hwy 50. This easement can help to provide north-south bicycle and pedestrian access to the site – extending over the river with a future bike/pedestrian bridge – and should be accompanied by a safe crossing (RRFB and/or pedestrian refuge island) across Hwy 50 to Caldwell Street.

B- Vandaveer Regional Park – Wetlands Area

The approx. 12.7-acre Wetlands Area (as mapped in 2023) in VPA-9 within the Vandaveer Regional Park is intended to be kept natural/undisturbed. This area is distinct in that it should include trail connectivity to the broader Vandaveer Regional Park and the South Ark Neighborhood. However, any disturbance to the existing jurisdictional wetlands areas should be carefully considered and studied to minimize any detrimental impacts to the wetland habitats. Any future efforts to relocate/mitigate existing jurisdictional wetlands should be studied prior to implementation.

C- Vandaveer Regional Park – Active Recreation Area

The approx. 19.4-acre Active Recreation Area in VPA-9 within the Vandaveer Regional Park is the best opportunity for the City to expand its footprint of City-serving active recreational opportunities and needed community facilities. Appropriate active recreation and supplementary uses in this area include:

- Flexible fields for recreation and festivals
- Various sport courts
- Trails
- Small restroom facilities
- Public parking (to support active recreation uses and trailhead access)
- Additional active recreation uses as identified by the PROST Board and approved by the City Administrator
- Recreation center
- Davcare
- Educational facilities
- Maintenance facilities
- Civic facilities
- Non-profit space
- Dog park (separate from VPA 7)

It is highly recommended that this area consider well irrigation for maintenance and watering of the flexible field uses.

This area is also allowed to accommodate a future civic/education facility, as outlined in VPA-9 above, of up to 40,000SF. If located in Active Recreation Area, such a building shall be sited in a location that maximizes access to the supporting recreation fields/courts, while minimizing the obstruction of view corridors.

D - Vandaveer Regional Park - Ridgeline/Wash Area

The 19.4 acre Ridgeline/Wash Area in VPA-7 within the Vandaveer Regional Park currently includes the Heart of the Rockies Disc Golf Course, which is intended to remain as a use in this area (note that some tee boxes/hole locations may need to be moved over time to facilitate the implementation of the South Ark Neighborhood and other uses for the Vandaveer Regional Park, including corresponding infrastructure needs). Uses in this area should leverage the natural topography and mature vegetation, while minimizing the disturbance of each. Appropriate uses in this area include:

- Approximately 1-acre dog park, planned to be located under the cottonwood grove, adjacent to the spine road, and associated parking.
- Small picnic area(s)/restrooms
- Maintenance facility
- Disc Golf Course (existing Heart of the Rockies Disc Golf Course)
- Adventure Recreation, such as a zipline course, treehouses, etc.
- Trails (walking & biking)
- Pump Track/Bike Park
- Additional active recreation uses as identified by the PROST Board and approved by the City Administrator

E- Neighborhood Park

The Neighborhood Park within the South Ark Neighborhood/VPA-1 is intended to serve the surrounding neighborhood as a place for formal and informal community gathering among South Ark Neighborhood residents. Accordingly, the park area should include community amenities such as seating areas, shared grills, etc. This park area should include opportunities for shade and respite from the sun, whether through tree planting and/or a pavilion or shade structure as well as opportunities for small neighborhood events.

The construction of the park should occur prior to, or concurrently to, the immediate adjacent land uses, so that the park will become an active gathering space upon its completion. The park will be constructed to City Standard by the vertical developer of the adjacent land uses (to be determined through a developer's agreement) but it will be owned and maintained in perpetuity by the City following the completion of its corresponding development phase.

F - Stormwater Greenway

As noted in Section 7.2 below, a stormwater swale should be incorporated in the neighborhood greenway to convey storm events from the existing detention facility at the northeast corner of the County Road 107 / County Road 108 intersection. This stormwater greenway, while serving essential stormwater conveyance use, should be designed in a manner that also makes it an amenity to the South Ark Neighborhood. Where possible, a multi-use path should be incorporated into its design, so that connectivity across the site is further increased, and pedestrians and cyclists can utilize this corridor to move east-west across the site from the Vandaveer Regional Park through the South Ark Neighborhood to CR 107. The area should be well-planted with tree and plant species that will not disturb the stormwater conveyance functions of the greenway.

G - Stormwater/Green Space A pair of small stormwater/green spaces are located on the western edge of the central part of the South Ark Neighborhood. These green spaces are strategically located to align with the roadways running east-west adjacent to them, to facilitate the potential for future roadway connections to CR 107. The need/desire for future connections from the neighborhood to CR107 is currently unknown, so they should be designed in a manner that allows near-term neighborhood use and informal gathering, but would not require extensive demolition (i.e., strategically planting any trees so that they would not require removal).

ILLINOIS AVENUE Salida High School JONES AVENUE **HWY 50** OUTH ARKANSAS CHAFFEE COUNTY 10 CHAFFEE COUNTY BRADY LANE CR 10402 Heart of the Rockie **EXHIBIT E NATURAL FEATURES MAP** COUNTY ARADISE ACRES SOUTH ARKANSAS RIVER FLOODWAY 100-YEAR FLOODPLAIN FLUVIAL HAZARD BUFFFR 2023 WETLAND DELINEATION STEEP SLOPES NATURAL SPRING DITCH LOCATION **EXISTING BRIDGE** Gravel Pit **EXISTING CULVERT** T NORTH CHAFFEE COUNTY 108 SCALE (FEET)

6 – Natural Features

Natural Features

There are multiple natural features on the site where development opportunities are impacted, but natural and ecological opportunities are realized. They include:

- South Arkansas River, Floodway, and 100-year Floodplain The South Arkansas River is a natural amenity that should be celebrated and preserved, including the riparian areas around the waterway. This includes the Floodway and 100-year Floodplain, which have been left primarily untouched. A 175-foot buffer from the centerline of the river shall be protected from any vertical or horizontal development impacts, except the need to install essential utilities.
- **Fluvial Hazard Buffer** this area was mapped in 2020 with the South Arkansas River Stream Health Assessment report. This area indicates erosion-prone land where the South Arkansas River could flood during large events. This mapping should be taken into consideration for grading of the site to alleviate the major flooding event impacts on developed areas.
- **2023 Wetland Delineation** in the spring of 2023, a wetland delineation mapping showed wetland species present in these areas. Some areas including the 2-acre property within the South Ark Neighborhood Plan boundary, but outside the current VPA boundaries are thought

to be potentially non-jurisdictional (not tied to the South Arkansas River stream) however this was not determined by the US Corps of Engineers and should be further studied in the future. They have been preserved in the master plan and planned to be incorporated as open space amenities.

- Steep Slopes these areas include the hillside in the southeast triangle where the Heart of the Rockies disc golf course is located as well as the area within the site that is north of the South Arkansas River. These areas should be kept clear of intensive development but may grow as recreation opportunities in the future.
- Natural Spring and Ditches there is a natural spring present in the center of the site that shall be kept as a natural open space amenity. The existing culvert is preserved in its existing location as well. A few irrigation ditches are also present on the site and have been left untouched.

HWY 50 CR T04 EXHIBIT F UTILITIES MAP WATER SANITARY SEWER SANITARY SEWER SANITARY SEWER SANITARY SEWER MOCRIL

7 – Utilities and Stormwater Management

NOTES:

- Reference the Appendix A Planning Level Engineering Report for more detailed information on utilities.
- A water system update by the city is in progress and may supersede this engineering analysis.
- Legal staff is investigating the possibility of installing water main and other utilities in the easement containing the pedestrian bridge (labeled "easement" with no other definition.)
- All utility and stormwater design is subject to final approval of Salida Public Works prior to major subdivision.

7.1 Utilities

WATER

A 12" water main will need to be brought in for development from Highway 50 via the 60' easement that connects to the existing pedestrian bridge (between Hampton Inn and Faricy Brothers.) This will require going under the South Arkansas River and will need approval from the USCOE.

A second water main connection for redundancy is proposed. Multiple options exist for this connection (refer to Exhibit D in Appendix A.) This connection may be eligible for cost recovery. A pressure reducing valve (PRV) should be installed on the eastern edge of the site prior to development of adjoining eastern properties. Water mains shall be installed per City of Salida standards The Paradise Acres mobile home park could also connect to the southeast zone in the future.

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SANITARY SEWER

A sanitary sewer main will connect to the city's trunk line in Highway 50 via CR 104 and be installed per City of Salida standards. Refer to Appendix A for more detailed information.

ELECTRIC, GAS, COMMUNICATION

All other utilities shall be provided underground and served from alleys and access easements wherever possible to create separation between wet and dry utilities, and to keep equipment such as transformers and pedestals out of the streetscape and front yards. Gas service is not required and may be desirable to leave out for energy and cost savings.

7.2 Stormwater Management

Water Quality Capture Volume must be provided for each phase of the development. No additional 25-year detention is required for the neighborhood due to the extensive natural detention provided by the jurisdictional wetlands.

A stormwater swale should be incorporated in the neighborhood greenway to convey storm events from the existing detention facility at the northeast corner of the County Road 107 / County Road 108 intersection. This detention basin, which was dug by Chaffee County staff, should ideally be studied, expanded as deemed appropriate to improve water quality, and maintained, by Chaffee County or the private property owner. Conveyance infrastructure is the only responsibility of South Ark Neighborhood regarding stormwater runoff from above the site. Failure of Chaffee County and/or the private property owner to address water quality could result in illegal discharge of sediment to jurisdictional wetlands.

An undersized culvert crossing under CR 107 west of the site should also be addressed prior to development to avoid redirecting flows from its 3 square mile tributary area into the South Arkansas Neighborhood. This culvert appears to be a recent installation and should be corrected by its installer. It is not the responsibility of the South Arkansas Neighborhood. See the engineering report for greater detail (Stormwater section, Drainage Basin 1).

8 – Development and Design Standards for the South Ark Neighborhood

The following sub-area standards shall apply to development in the South Ark Neighborhood and shall replace Section 8.02 Vandaveer Neighborhood District: Development and Design Standards of the Vandaveer Ranch PD as follows: New language is listed in red text (red text) and deleted language is shown crossed-out (strikethrough text). In the event that any of these sub-area standards conflict with the overall standards and guidelines of the Vandaveer Ranch PD, the sub-area standards shall control—especially due to the South Ark Neighborhood's isolation from the remainder of the PD area and unique objectives.

8.02 South Ark Vandaveer Neighborhood District: Development and Design Standards

- **8.02.1** Development must be located with the existing topography in mind and shall minimize disruption to existing terrain, vegetation, drainage patterns, natural slopes and any other distinctive features.
- **8.02.2** The design and siting of all structures shall protect and preserve wetlands and riparian areas, critical wildlife habitats, natural features and landmarks and shall minimize the visual impact from Highways 50 and CR 107.
- **8.02.3** Home-based businesses shall only receive delivery of supplies between the hours of 8:00 a.m. and 6:00 p.m.
- **8.02.3 8.02.4** All permanent buildings shall be set back a minimum of two hundred and fifty (250) feet from the edge of the South Arkansas River channel.
- **8.02.4** 8.02.5 All development shall be designed so that for the given location, egress points, grading and other elements of the development could not be reasonably altered to:
 - Reduce the number of access points onto a collector or local street.
 - Minimize adverse impacts on any existing or planned residential uses.
 - Improve pedestrian or vehicle safety within the site and exiting from it.
 - Reduce the visual intrusion of parking areas, screened storage areas and similar accessory areas and structures.
- **8.02.5 8.02.6** All development shall respect and complement existing development on abutting sites. This shall include:
 - Provision for consolidating access points with abutting properties through joint access easements or other negotiated means;
 - Provision for making sidewalks, trails and paths contiguous with abutting properties;
 - Compatible massing and scale
- **8.02.6 8.02.7** A variety of housing styles is strongly encouraged; therefore, model types shall vary.
 - A variety of roof forms is permitted, though low-sloping or "flat" roofs shall be limited to two for every eight structures.
 - Natural materials such as wood siding and masonry are encouraged.

 Affordable units shall be designed with the same quality of exterior finishes as marketrate units.

8.02.7 Vehicular access and garages, carports, or other private vehicle storage shall be accessed from an alley or parking court.

- Provide either a building or a landscaped area at least ten (10) feet wide containing
 dense planting between the front property line of any use and an outdoor parking or
 service area.
- Surface parking lots are encouraged to use permeable surfaces (gravel, permeable paving, or other permeable surface.)
- No street-facing garages shall be allowed.

8.02.8 Parking Standards

- Commercial uses shall be required to provide a minimum of 1 parking spaces per 1,000
 SF of the commercial use.
- Residential uses shall be required to provide a minimum of 1 parking space per unit.

8.02.8 Linear width of garage doors shall not exceed forty [40] percent of the linear width of a building's principal façade when the garage doors are part of the principal façade facing a street. If the garage is flush with the front façade, a covered porch or eave shall be extended forward from the front wall of the house at least six feet. Side-loaded and detached garages located behind the primary structure are encouraged.

8.02.9 Orient buildings to take best advantage of solar access.

8.02.10 In order to create usable private open spaces for residences in this area, front yards shall be used for outdoor patio space or for a landscaped buffer space. It shall not be used for the storage of anything other than patio/porch furniture.

8.02.11 Primary building entrances should be oriented towards streets, parks, or pedestrian ways. Any multi-story building should have one clearly identifiable "front door."

8.02.12 Ensure exterior walls are designed on a pedestrian scale by:

- Fragmenting them into smaller or multiple structures;
- Providing mature landscaping and manipulating the land form;
- Placing wall texture at eye-level;
- Clustering of small scale elements such as planter walls around the primary structure;
- Ensure that the ground floor uses are oriented toward the pedestrian with storefronts (where applicable), front porches, stoops, or patios that open onto the sidewalk as well as other pedestrian oriented spaces;
- Minimize the visual impact of service areas, refuse storage and mechanical/electrical
 equipment on streets, open space and adjoining development. For multifamily, mixed
 use, or commercial, civic, or education facilities, storage and refuse containers must be
 screened with impervious fencing or plantings.

8.02.13 Courtyards or green spaces between residential uses shall be designed to accommodate a sidewalk/path and outdoor amenities such as, but not limited to: seating areas, garden beds (edible or aesthetic), pollinator gardens, small pavilions, stormwater gardens, or other amenity.

 Front doors and porches of residential units shall front onto the courtyard/common space.

GATEWAYS AND CIRCULATION DESIGN STANDARDS

8.02.14 Gateways:

 Gateway elements at entry points to the neighborhood (at CR 107 entry and Highway 50/CR 104 intersection) shall be provided and be primarily architectural elements and not signs, although graphic elements are allowed.

8.02.15 Transportation System/Vehicular Access:

- The "spine" road connecting CR 107 to CR 104 shall serve as a primary connection to the South Ark Neighborhood and shall be designed as a multi-modal street with ample space adjacent to the curb to promote healthy, long-term tree growth.
- The street network shall be laid out as shown in Exhibit C. Any modifications to the
 proposed street grid shall be presented with proper reasoning and determined
 appropriate by the Community Development Director.
 - Rectangular blocks shall be a minimum of 180-feet wide.
 - The street network shall consider opportunities for future connections to CR 107, as shown in Exhibit C.
- All subdivisions within the South Ark Neighborhood shall provide an adaptable and interconnected transportation system that encourages alternative modes of transportation, disperses traffic, and provides streets that accommodate multiple modes of transportation including motor vehicles, bicycles, and pedestrians.
- Safe and efficient movement of vehicles, pedestrians and bicyclists is an important attribute of the South Ark Neighborhood. Uninterrupted pedestrian ways shall be maximized in order to improve or support the subarea as a walkable neighborhood.
- The width of driveways and curb cuts shall be minimized to reduce the overall impact of vehicular access across a planned pedestrian path or trail.
- Sharing of vehicle entries between two adjacent lots is strongly encouraged.
- Ensure all subareas have included a clearly defined connection to the regional trail system.

ENVIRONMENTAL DESIGN STANDARDS

Note that the model energy code and building codes shall supersede these standards, whichever is more stringent.

8.02.16 Orient buildings to take best advantage of solar access.

- Buildings should be designed to plan for the application of solar panels.
- Consideration of passive solar design opportunities should be provided.

8.02.17 Limit water use.

- Buildings should utilize water-saving fixtures and appliances.
- Landscaping should include water-wise, indigenous plant species.
- Consider the use of well irrigation for maintenance and watering of the flexible field uses.

8.02.18 Natural disaster preparedness.

- Buildings within the fluvial hazard buffer shall be elevated or the site shall be graded to alleviate the risk of flooding.
- Buildings shall include an appropriate buffer around their perimeter that does not include combustible materials.
- Stormwater detention elements should be considered in common areas such as courtyards, public parks, and yards to prevent the risk of flooding.

9 – Phasing and Implementation of South Ark Neighborhood Development

How the master plan is built-out overtime will ultimately depend on the structure of developer agreements, market demand, and builder availability. The city should continue to pursue a variety of infrastructure funding by way of grants, developer agreements, and city budgeting. A conceptual phasing plan was developed and included in Appendix A, but it shall be noted that it is allowed to change depending on unique circumstances. Final development plan approval specific to the phase or individual property shall be required prior to building permit submittals. More detailed information on infrastructure phasing and planning level costs can be found in Appendix A.

It is important that for the South Ark Neighborhood, as noted in the above sections, the housing units be built as a mixed-income neighborhood with affordable and market rate units intermixed, i.e. affordable units shall not be located all together. Additionally, it shall be required that affordable units be built at the same time as market rate units and not wait to come to market last. Delivering affordable units is the priority for the South Ark Neighborhood and every opportunity to deliver them as soon as possible is desired.



Planned Development Amendment Narrative

APPENDIX A

South Ark Neighborhood Planning Level Engineering Report (by Crabtree Group, Inc.)



In partnership with:











SOUTH ARKANSAS NEIGHBORHOOD

PLANNING LEVEL ENGINEERING REPORT

BILL HUSSEY, PE, CRABTREE GROUP, INC.

9/11/2023

Executive Summary

The purpose of this report is to identify, and begin to analyze, the major engineering concerns related to development of the South Arkansas Neighborhood (SAN). The fundamental tension of developing this parcel is that potable water and sanitary sewer must come from the north and east, while vehicular connection is most feasible in the southwest. Development should start at the street connection to County Road 107 at the southwest corner of the parcel because street construction is relatively more expensive than utility construction. In addition, jurisdictional wetlands make development of the north portion of the site infeasible.

Exhibit A shows a phased infrastructure plan. Exhibit B is a phased infrastructure estimate.

Best available data was used to make planning-level assumptions, and none of the findings of this report are final or reliable for final design or infrastructure sizing. Error is most likely on the side of conservatism.

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Floodplain and mass grading (Exhibit C)

As detailed in the 2020 South Arkansas River Stream Health Assessment by Central Colorado Conservancy and others, portions of the site, although outside the regulatory floodplain, are only 1 to 2 feet above the bottom of the South Arkansas River channel. The study also identifies an avulsion hazard zone where the river could change its course during a flood event. Therefore, fill is needed to mitigate the risk of uncontrolled flood water entering the site.

The regulatory flood model of the South Arkansas River was modified to a scenario where the County Road 107 bridge is 80% blocked, and the City of Salida pedestrian bridge was added to the model based on 2015 design drawings. The 500-year flood with these modifications is shown on Exhibit C. Downstream of these modifications, the difference between the 100 and 500-year floods is negligible for high level planning, typically less than 6".

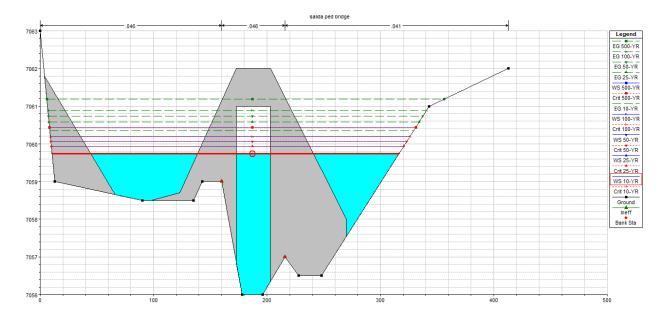
Two grading models were created. Scenario 1 considers a minimum amount of fill placement in the avulsion zone for recreation amenities. The maximum fill in the avulsion zone is 1.5'. This would allow for north/south leveling of playing fields and control of flood waters discharging through neighboring properties to the west. Scenario 2 considers 3' max fill across the avulsion zone and would be more appropriate for vertical development within the avulsion zone.

Both scenarios require a channel to allow flood waters to pass through the fill area because neighbors to the west would still be accepting flood waters in a bridge blockage and/or avulsion scenario. Both scenarios include cut of the ridge south of the avulsion zone to provide developable grades. Earthwork estimates do not include east/west leveling of playing fields.

Scenario 1 (fill 1.5')	Cut 5,000 CY	Fill 38,000 CY	Net Fill 33,000 CY
Not appropriate for			
neighborhood			
development			
Scenario 2 (fill 3')	Cut 18,000 CY	Fill 58,000 CY	Net Fill 40,000 CY
Appropriate level of fill			

Grading Scenario 1 is shown in Exhibit C, "Grading, Drainage, and Floodplain Overview." Sides of the fill that could come into contact with flood waters should be protected from erosion using large boulders.

The pedestrian bridge was added to the regulatory floodplain model based on 2015 design drawings. The model indicates that significant flow will overtop the approach walkways at the 10-year flow of 1440 cfs. The 500-year flood does not overtop the bridge due to the relatively large width of the floodplain and large amount of overtopping of the approach walkways. See cross section of the pedestrian bridge below with 10-year flood level in red, covering the north approach with approximately 1' of water.



We recommend hardening the existing pedestrian bridge approach walkways only if maintenance due to flooding becomes a concern. The regulatory hydrology study likely overestimates flows, but it may become temporarily accurate in the likely event of major forest fire in the watershed. The existing pedestrian bridge is sized appropriately to allow infrequent flooding of the approach walkways. This design is more conducive to stream health because it minimizes required grading in the floodplain. The opposite end of the design approach spectrum is Highway 50, which is emergency-critical, and therefore creates a tall and wide dam across the floodplain.

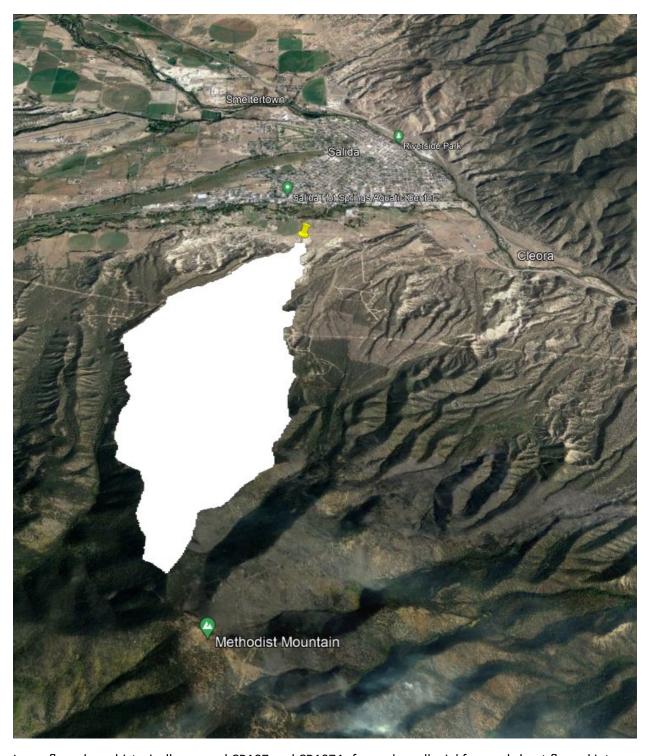
Subsurface Drainage

A subsurface drain system should be installed across the west edge of the avulsion zone to intercept subsurface flows. This will mitigate stability issues for foundations, create dry-up credit to add to the city's water rights portfolio, and reduce the amount of pumping required for installation of subsurface utilities. The subsurface drain system should outfall at the head of the spring in order to maintain the natural amenity and avoid injury to spring water users.

Stormwater

Drainage Basin 1 – 3 square mile area, outfall at Hard Rock Pit

Drainage basin 1 is the 3 square mile area with an outfall at the bottom of the Hard Rock pit on BLM Land.



Large flows have historically crossed CR107 and CR107A, formed an alluvial fan, and sheet flowed into the Tennassee Ditch. Photo below is looking upstream at the CR107 crossing and the Hard Rock pit above.



Runoff from basin 1 may split along CR107 and contribute to basin 2. This potential is due to the undersized culvert in the historic flow path at CR107, shown above. The undersized culvert should be addressed to prevent runoff from following CR107 from basin 1 into basin 2.

Any future development at 6751 County Road 107 should safely convey all runoff from basin 1 to the South Arkansas River. Photo below shows the highly eroded basin 1 outfall channel below CR107.





Drainage Basin 2 – 0.16 square mile area, outfall SW corner of CR107/108 intersection

Basin 2 outfalls to the southwest corner of the intersection of county roads 107 and 108, where, in approximately 2019, Chaffee County crews installed a detention basin. Summer monsoons still regularly overtop the detention basin and carry sediment along CR107 and into the Tenassee Ditch.

Local observations are that the runoff from basin 2 always follows CR107 and the adjacent Tennassee Ditch, flowing north, and flooding adjacent properties. It appears, from field inspection, that larger storms would overtop CR107 and the Tennassee Ditch and flow northeast across the South Ark Neighborhood. Therefore, basin 2 must be conveyed through the South Ark Neighborhood.

The below photo of the small detention basin shows significant sedimentation. Preliminary discussion with Chaffee County staff have indicated that a scenario could be mutually beneficial where the South Ark Neighborhood provides stormwater infrastructure to route runoff from basin 2 to the South Arkansas River, and in return, Chaffee County continues to provide maintenance of the existing detention area.



A land swap proposal by the owner of the detention area and adjacent gravel pit was approved by Salida City Council in ordinance 2018-09, but was never executed. Chaffee County and the City of Salida should collaborate to allow for County ownership of the detention basin. Opportunity for a ped/bike trail on the west side, and stormwater improvements on the east side of CR108 should be examined along with the land swap.

Three methods of estimating runoff from Basin 2 were considered. TR-55 produced typically conservative results which would likely result in oversized infrastructure. Streamstats results were obviously too low. Consistent with the experience of this office for the area, the best ranges were provided by USGS Water-Resources Investigations Report 99-4190, "Analysis of the Magnitude and Frequency of Floods in Colorado." Although Basin 2 is extrapolated on the low side of areas studied, regression analysis of real basins is likely the most appropriate method. Standard error of prediction was applied to the regression equation to get a maximum discharge of 17 cfs for the 100 year storm. A bulk factor of 2 was applied for a 100-year design flow of 34 cfs.

Storm return interval (years)	2	10	25	50	100
Peak	.1	5	11	21	34
Discharge (cfs)					
TR-55					

Peak	4	8	9	11	12
Discharge (cfs)					
USGS					
Regression					
Peak	.4	1	2	2	3
Discharge (cfs)					
Streamstats					

From the small stormwater detention basin at the SW corner of county roads 107 and 108, CR107 is the most direct outfall route to the South Arkansas River. However, CR107 has right of way constraints, and the longitudinal grade is approximately 0.7% for the 1000' between Brady Lane and the South Arkansas River. This flat grade makes any stormwater conveyance unlikely to self-scour, leading to higher long-term maintenance costs.

A route along the west side of SAN would have similar grade constraints. The best route follows the natural grade to the spring area. This will allow for design flexibility to control velocity with boulder drop structures as needed. Following the natural grade creates the least risk of stormwater flows jumping the channel. The proposed route is shown in the PD Plan as the greenway.

All stormwater conveyance paths for basin 2 must have adequate overflow paths (likely the neighborhood street network) in case debris clogs the primary conveyance infrastructure.





Drainage basin 3 outfalls to the alluvial fan on the east end of city property. Following the same methodology as Basin 2, the 100-year design flow is 68 cfs. An appropriately sized culvert and rip rap channel should convey this basin to the wetlands adjacent to the South Arkansas River.

Similarly to Basin 2, overflows due to debris should be anticipated and directed appropriately in mass grading of the site. Energy dissipation structures should be considered upstream of where this drainage crosses the SAN spine road connecting CR104 to CR107.

On-Site Stormwater

Mile High Flood Control District detention sizing methods indicate approximately 0.6 acre feet of water quality control volume required. This should be distributed through the open spaces within the developed area. An additional 1.9 acre feet of storage is required to detain the 25-year storm per City standards. Wetlands provide approximately 10 acres of receiving area, which is sufficient for 25 year storm detention.

Per MHFCD's modified rational method, peak 100-year flow for each half of the developed area is 50 cfs. Grading of the subdivision can be arranged so that at least two streets or swales collect runoff from the developed area. Stormwater conveyance streets can be graded steeper than 2% longitudinal grade which will allow them to carry the 100-year storm within the curbs for an assumed 34' wide section.

Traffic

Below table shows SAN projected trip generation of approximately 3300 daily trip ends.

SOUTH ARK NEIGHBORHOOD											© CRABTREE						
Summary of Trip Generation														GR	DOP INC.		
					Daily		AM P	eak-Ho	our Trip	Ends			PM P	eak-Ho	our Trip	Ends	
Land Use	Code	Inten	sity	Rate	Trip			1	n	0	ut				n	0	ut
	Couc				Ends	Rate	Total	%	Trips	%	Trips	Rate	Total	%	Trips	%	Trips
Single Family Detached Housing	210	10	DU	9.57	96	0.75	80	25%	2	75%	6	1.01	10	63%	6	37%	4
Apartments	220	200	DU	6.65	1,330	0.51	102	20%	20	80%	82	0.62	124	65%	81	35%	43
Condominiums/Townhouses	230	190	DU	5.81	1,104	0.44	84	17%	14	83%	69	0.52	99	67%	66	33%	33
City Park	411	30	AC	1.59	48	0.01	0	61%	0	39%	0	0.01	0	53%	0	47%	0
Rec Center	540	30	KSF	2.31	69	2.69	81	53%	43	47%	38	2.39	72	40%	29	60%	43
Soccer Complex	488	3	FLD	71.33	214	1.40	4	50%	2	50%	2	20.67	62	69%	43	31%	19
Total					2,861		278		82		197		367		225		142

County records indicate that for a week in September 2015, CR104 had 390 average daily trips, and CR107 had 1300 average daily trips. Updated counts from a one week period in June 2023 indicated ADT of 1,794 on CR107 and 502 on CR104. ITE trip generation was used to estimate AM and PM peak hour traffic for both roads:

EXISTING CR104																OR GR	ABTREE OUP INC.
Summary of Trip Generation							ΔMP	eak-Ho	our Trip	Fnds			PM P	eak-H	our Trip	Fnds	
Land Use	ITE Code	Inten	sity	Rate	Daily Trip				n		ut		<u> </u>	In		Out	
	Code				Ends	Rate	Total	%	Trips	%	Trips	Rate	Total	%	Trips	%	Trips
Single Family Detached Housing	210	4	DU	9.57	38	0.75	3	25%	1	75%	2	1.01	4	63%	3	37%	1
PUBLIC OPEN SPACE	NONE	1	EA	200	200	50.00	50	75%	38	25%	13	50.00	50	25%	13	75%	38
MOBILE HOME PARK	240	38	DU	5.99	228	0.44	17	20%	3	80%	13	0.59	22	62%	14	38%	9
Total					466		70		42		28		76		29		48
GLA = gross leasable area in KSF																	
DU = dwelling unit																	
RM = number of room																	
Source: ITE Trip Generation, 8th E	dition																
	antion																
· ·	antion																
																≥ CR GR	ABTREE OUP INC.
EXISTING CR107 Summary of Trip Generation																≥ CR	ABTREE OUP INC.
Summary of Trip Generation					Daily		AM P	eak-Ho	our Trip	Ends			PM P	eak-Ho	our Trip	1.4614(1) × 40	ABTREE OUP INC.
		Inten	sity	Rate	Daily Trip		AM P		our Trip		ut		PM P		our Trip n	Ends	ABTREE OUP INC.
Summary of Trip Generation	ITE	Inten	sity	Rate	•	Rate	AM P		•		ut Trips	Rate	PM P		-	Ends	
Summary of Trip Generation Land Use	ITE Code	Inten		Rate 9.57	Trip	Rate 0.75		ı	n .	0		Rate 1.01		l	n .	Ends O	ut
Summary of Trip Generation Land Use	ITE Code	114			Trip Ends		Total	/ %	n Trips	0 %	Trips		Total	%	n Trips	Ends O %	ut Trips
Summary of Trip Generation Land Use Single Family Detached Housing TRAILHEAD	ITE Code	114	DU	9.57	Trip Ends	0.75	Total 86	% 25%	Trips	% 75%	Trips 64	1.01	Total	% 63%	Trips	0 Ends 0 % 37%	ut Trips 43
Land Use Single Family Detached Housing	ITE Code 210 NONE	114	DU EA	9.57	Trip Ends 1,091 300	0.75 50.00	Total 86 50	% 25% 61%	Trips 21 31	75% 39%	Trips 64 20	1.01	Total 115 50	% 63% 39%	73 20	© Ends O % 37% 61%	ut Trips 43 31
Land Use Single Family Detached Housing TRAILHEAD GRAVEL PIT Total	ITE Code 210 NONE NONE	114	DU EA	9.57	Trip Ends 1,091 300 78	0.75 50.00	Total 86 50 39	% 25% 61%	Trips 21 31 24	75% 39%	Trips 64 20 15	1.01	Total 115 50 39	% 63% 39%	73 20 15	© Ends O % 37% 61%	ut Trips 43 31 24
Land Use Land Use Single Family Detached Housing TRAILHEAD GRAVEL PIT Total GLA = gross leasable area in KSF	ITE Code 210 NONE NONE	114	DU EA	9.57	Trip Ends 1,091 300 78	0.75 50.00	Total 86 50 39	% 25% 61%	Trips 21 31 24	75% 39%	Trips 64 20 15	1.01	Total 115 50 39	% 63% 39%	73 20 15	© Ends O % 37% 61%	ut Trips 43 31 24
Land Use Single Family Detached Housing TRAILHEAD GRAVEL PIT	ITE Code 210 NONE NONE	114	DU EA	9.57	Trip Ends 1,091 300 78	0.75 50.00	Total 86 50 39	% 25% 61%	Trips 21 31 24	75% 39%	Trips 64 20 15	1.01	Total 115 50 39	% 63% 39%	73 20 15	© Ends O % 37% 61%	ut Trips 43 31 24

Actual ADT exceeded estimates by 8% for CR104 and 22% for CR107. County staff was unwilling to provide temporal distribution of trips from the week in June 2023.

It is assumed that the existing traffic signal at CR107 has sufficient capacity to handle all additional SAN traffic, although an adjustment to its phasing may be required. A meeting with CDOT has been requested to confirm this assumption. Longer queue lengths will negatively affect the driveway off CR107 to the commercial property southeast of the Hwy 50/CR107 intersection, but that property also has direct access from Highway 50.



CR104 is currently stop-controlled. Delay analysis indicates that additional capacity is limited for 2nd order movements (right turn out, left turn in), and severely limited for the 3rd order movement (left turn out). This will push trip distribution from SAN mainly to CR107.

Consultation with CDOT is required to develop an access plan for southeast Salida. SAN is unlikely to warrant a signal at CR104. After a substantial portion of SAN is occupied, an engineering study of the CR104 / Highway 50 intersection may inform adjacent developers about the likelihood of meeting a signal warrant.

In approximately 2009, the left turn in to CR104 may have been designed and constructed at half the standard length (approximately 250' vs 650' standard) on the premise that it would eventually be closed because of the desired half mile spacing of intersections per the CDOT Highway Access Code. The right turn in and right turn out lanes are standard length. Discussion with CDOT is needed.

Utilities

Water

Note that a water system update by Providence Infrastructure Consultants is in progress and will supersede this analysis.

Per the Providence Infrastructure Consultants Technical Memorandum WS-3, January 4, 2019, the hydraulic grade line for the low zone is 7264'. Developed ground elevations in SAN range from 7042' to

11 - 112 -

7130'. Static pressures would therefore range from 58 to 96 psi in the low zone. Those pressures would be reduced by approximately 26 psi if SAN was put in the southeast zone, which would not provide appropriate pressure to the higher developed elevations of SAN.

Assuming connection to the low zone, a single 12" water main connection with a length of 3600', at elevation 7130', flowing 3000 gpm, would have a residual pressure of approximately 32 psi. Therefore a single 12" main is sufficient for a first phase of construction. This initial water main connection is anticipated at the existing pedestrian bridge easement. **City legal staff is investigating** the possibility of installing water main and other utilities in the easement containing the pedestrian bridge, which is labeled in records as "easement" with no other definition.

A second water main connection for redundancy is desirable. Several choices exist, and more details are provided in Exhibit D. The PIC report indicates the second connection should also be 12", but this assumption should be revisited prior to detailed design.

A PRV should be installed at the east end of SAN prior to development of the Treat, Jones, or Lau parcels, all of which will be on the southeast zone, with highest developable elevations of approximately 7050, 7095, and 7065, respectively. Paradise Acres mobile home park could also connect to the southeast zone in the future, with a top developable elevation of 7100.

Ground elevations within SAN, including the top of ridge or gravel pit locations, are not high enough for a ground mounted tank to feed the low zone. It is not efficient to feed the lowest zone of the system with a dedicated tank, so no water tank locations are contemplated in SAN.

Sanitary Sewer

Sanitary sewer will connect to SAN via CR 104. The utility crossing of Highway 50 should be coordinated to sleeve all foreseeable utility crossings (included in SAN estimate), provide for a pedestrian underpass (not included in SAN estimate, rough order of magnitude cost \$0.3 million), and direct stormwater west of Hwy 50 to the north, into the South Arkansas River.

A shallower sanitary sewer route is available through private property north of CR 104. See Exhibit E, Treat Sewer. However, the landowner has indicated that a deal for a sanitary sewer easement within several years is unlikely. Therefore, all estimates have assumed that the sanitary sewer stays in CR 104. The sanitary sewer would be reimbursable based on frontage on the line, and the highway crossing could be reimbursed by all future connections.

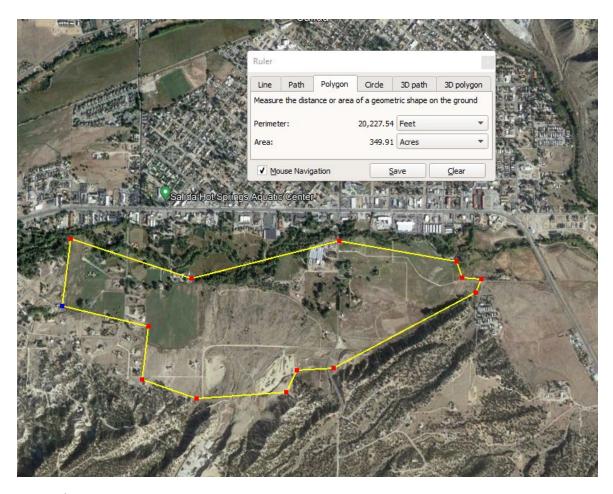
The ideal sewer extension route to serve CR 107 is through 7052 County Road 107 (Wikoff). This would allow for future sanitary sewer service for all the land south of the South Arkansas River. Lacking that connection, one should be pursued through the lane easement on the Armstrong property. The lane easement is currently not for utilities, and would require widening from 15' to a minimum of 20' for sanitary sewer interceptor installation. Grades through the subdivision must allow for sanitary sewer service to Brady Lane. The CAD file for phased infrastructure contains an approximate sanitary sewer profile to Brady Lane.

The downstream line is 15" with minimum slope of 1%. With depth/diameter = 0.8, the capacity is 5.8 cfs. Per PIC's 2019 draft sewer collection system build out infrastructure plan, single family homes averaged 122 gallons per day, and a peak factor of 3.4 is recommended. Using a peak factor of 4 to be conservative, 7,628 single family homes would be able to connect. The total buildout west of Highway 50

and south of the South Arkansas River is approximately 465 acres. Assuming 10 units/acre average gross density gives 4,650 units, well within allowable for the downstream line.



Removing parcels downstream (east) of SAN, by the same assumptions, 12" sanitary sewer interceptor is adequate for 350 acres of development. The interceptor should be 12" to the Wikoff (or Armstrong) property line to allow for 2.7 cfs peak flow with a minimum grade of 0.6%.



Dry utilities

Electric, natural gas, and communications lines are located in County Road 104 and County Road 107. Off-site improvements to the Xcel Energy electric backbone infrastructure may be required. Xcel policy is to not provide estimates prior to application for service. This is a significant risk to the project.

Miscellaneous Remaining Tasks

Exhibits

A Phase 1 Infrastructure

B Phase 1 Infrastructure Estimate (excel)

C Grading, Drainage, and Floodplain Overview

D Water Main Connection Options

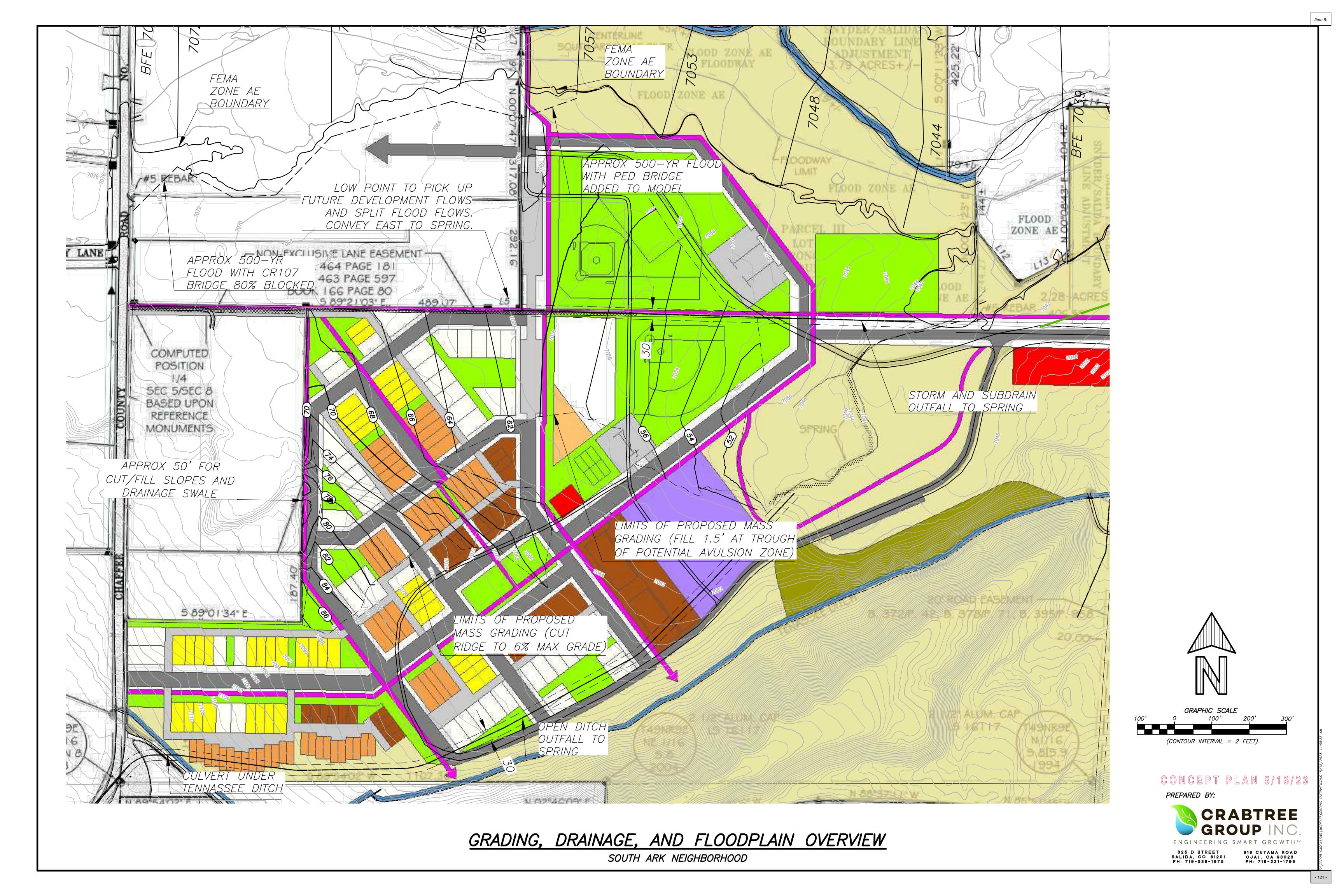
E Treat Sewer Exhibit

F City Ordinance 2018-09 (Land swap)

14

SOUTH ARK NEIGHBORHOOD								
EOPC - PHASE 1								
CRABTREE GROUP, INC.								7/20/2023
		PHASE 1		PHASE 2		PHASE 3		PHASE 4
SANITARY SEWER	\$	1,100,000.00	\$	170,000.00	\$	480,000.00	\$	830,000.00
WATER	\$	850,000.00	\$	230,000.00	\$	870,000.00	\$	540,000.00
ELECTRIC CONNECTION AND 3 PHASE								
BACKBONE UPGRADES (DOES NOT INCLUDE								
TYPICAL PER-LOT COSTS)	\$	276,750.00	\$	70,000.00	\$	62,500.00	\$	82,500.00
CENTRAL CO TELECOM & CHARTER	\$	30,700.00	\$	28,000.00	\$	25,000.00	\$	33,000.00
NATURAL GAS	\$	76,750.00	\$	70,000.00	\$	62,500.00	\$	82,500.00
STREETS	\$	1,500,000.00	\$	1,000,000.00	\$	1,160,000.00	\$	1,390,000.00
STORMWATER IMPROVEMENTS	\$	145,000.00	\$	30,000.00	\$	30,000.00	\$	30,000.00
OVERLOT GRADING	\$	50,000.00	\$	50,000.00	\$	50,000.00	\$	50,000.00
TOTAL WITH 25% CONTINGENCY	\$	5,036,500.00	\$	1,997,500.00	\$	3,362,500.00	\$	3,735,000.00

\$ 14,131,500.00



		Distance from existing			
		water main to			
	ROW Width	developable SAN	pros	cons	comments
				Insufficient right of way width for utilities and	Required partnerships will take a minimum of
				appropriate street section. But, right of way	several years. Therefore, the first water main
	36' min occurs at			acquisition may be a priority for City, County, and	connection should be elsewhere. Due to the cost
	Hwy 50, S Ark			adjacent landowners to improve emergency	sharing opportunities, this is the best place for a
	Bridge, and	2200' or 1000' if it can	Good opportunity for cost share with	access, bike/ped separation from vehicular traffic,	second water main connection if partnerships
	Brady's West.	cut through Wikoff	neighbors both sides of CR107. Minimal	and stormwater conveyance. S Ark River crossing	can be secured. No sewer main due to S Ark
CR107	varies	property	disturbance of floodplain ecosystem.	required.	River crossing.
			Sufficient width for all utilities. Only moderate		
			disruption of floodplain ecosystem due to		City attorney should provide legal definition of
			existing pedestrian bridge. 750' from existing		"easement." property records don't define it,
Existing Ped Access, 931	60' easement (no		Hwy 50 water main to developable SAN is the	Temporary disruption of business for property	other than being 60' wide. No sewer main due to
E Hwy 50 (Faricy Boys)	right of way)	750'	shortest potential route.	owner. S Ark River crossing required.	S Ark River crossing.
			Sufficient width for all utilities. Existing water		
			main, although undersized, makes the		
			connection to Hwy 50 water main less	Significant disruption of floodplain ecosystem	
			expensive. Some redevelopment potential	including removal of mature trees. S Ark River	
Palmer Street	60'	1100'	exists between Hwy 50 and floodplain.	crossing required.	No sewer main due to S Ark River crossing.
				Narrow work area and existence of gas main and	
				overhead lines will add to construction cost.	
16' Wide City Property			· · ·	Significant disruption of floodplain ecosystem. S	
(East of Carquest)	16'	1100'	Hwy 50 and floodplain.	Ark River crossing required.	No sewer main due to S Ark River crossing.
			Good opportunity for cost share with		
			neighbors both sides of CR104. No river	This connection would be to a lower pressure zone	
			crossing. Hwy 50 crossing costs are minimal	which means that it would not provide redundant	
			because sanitary sewer needs to cross at this	service to SAN. Pressure reducing valve required	
CR 104	40 to 45'	1900'	location.	(significant cost).	Water would run parallel to sanitary sewer main.

ORDINANCE NO. 2018-09 (Series of 2018)

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO APPROVING AN EXCHANGE OF REAL PROPERTY BETWEEN THE CITY OF SALIDA AND SSG HOLDINGS, LLC

WHEREAS, the City of Salida, Colorado ("City") is a statutory city, duly organized and existing under the laws of the state of Colorado; and

WHEREAS, the Salida City Council ("Council") passed a resolution to authorize the City to settle a quiet title action with SSG Holdings, LLC; and

WHEREAS, related to that quiet title action with SSG Holdings, LLC, both the City and Chaffee County plan to enter into a land exchange or boundary line adjustments with SSG Holdings, LLC; and

WHEREAS, the City will grant real property it no longer uses or occupies in exchange for real property which the City Public Works Department is currently already using to access City property to the east which is used for storage of concrete, asphalt and other similar materials; and

WHEREAS, the City staff has determined that there is no practical alternative access to this aforementioned City property site and that the land exchange is in the City's best interests; and

WHEREAS, the City of Salida City Council finds it in the best interest of the general health, safety and welfare of its citizens to authorize this land exchange.

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

Section One

The Salida City Council approves the real property exchange between the City of Salida and SSG Holdings, LLC, described in more detail in the attached plat and letter from SSG Holdings, LLC attorney dated March 28, 2018, attached as Exhibit "A." The Salida City Council authorizes City staff, including legal counsel, to effectuate the real property exchange and/or boundary line adjustments.

Section Two

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

INTRODUCED ON FIRST READING, ADOPTED and ORDERED PUBLISHED IN FULL in a newspaper of general circulation in the City of Salida by the City Council on the 22 day of May, 2018 and set for second reading and public hearing on the 5th day of June 2018 INTRODUCED ON SECOND READING, FINALLY ADOPTED and ORDERED PUBLISHED BY TITLE ONLY, by the City Council on the _________, 2018. CITY OF SALIDA By: ATTEST: PUBLISHED IN FULL in the Mountain Mail after First Reading on the 2 ___, 20____, and BY TITLE ONLY, OR IN FULL, after Final Adoption on the 8th day of June, 2018.





CORDOVA LAW FIRM, LLP

Pete Cordova, P.C. Zachary D. Cordova, P.C.

1604 "H" Street Salida, Colorado 81201 Phone 719-539-6679 Fax 719-539-3020 www.petecordovalaw.com

March 28, 2018

VIA ELECTRONIC MAIL npetraro@mdkrlaw.com

Nina Petraro Murray Dahl Kuechenmeister & Renaud LLP 710 Kipling Street, Suite 300 Lakewood, CO 80215

Re: SSG Holdings, LLC Quiet Title Action

Dear Ms. Petraro:

Please find enclosed a color-coded plat showing the real property in question. The portion of the land currently owned by my client, SSG Holdings, LLC, is outlined in a black border. Those portions of my client's property that are colored in yellow would be the portions of the property that would be conveyed to the City of Salida. The portions shaded in blue would be those portions going to Chaffee County. The pink colored section would be the property that SSG would receive from the City of Salida and Chaffee County, and the property covered in red is the strip that SSG Holdings, LLC is quiet titling.

I hope this is of assistance. Please feel free to contact me with any questions, and I will be happy to answer them.

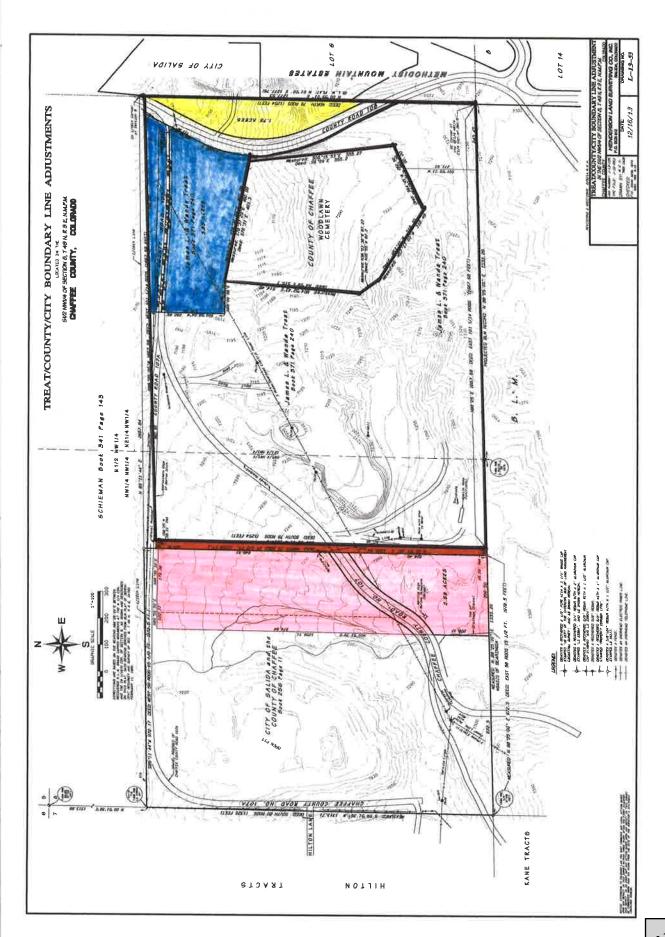
Sincerety;

Pete Cordova

PC/jlb

attachment

xc: SSG Holdings, LLC (w/attachment)





Planned Development Amendment Narrative

APPENDIX B

South Ark Neighborhood Master Plan Financial Analysis (by ArLand Land Use Economics)















South Ark Neighborhood Master Plan Financial Analysis November 1, 2023

Prepared for:

City of Salida Salida, Colorado

https://www.cityofsalida.com/

Prepared by:



ArLand Land Use Economics

Denver, Colorado (t) 720.244.7678 www.arlandllc.com

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Executive Summary

- The South Ark neighborhood is planned for **350 to 400 dwelling units** intended as permanent residences for the Chaffee County / Salida workforce. The Overall Development Plan spells out the affordability guidelines. In general, at least **50**% of the total residential units should be deed-restricted to **30**% **to 100**% of AMI for rental units and **60**% **to 160**% of AMI for ownership units. The tenure in the community should be 50% ownership and 50% rental. ADUs are encouraged but not required.
- The community has been divided into three phases with infrastructure and unit build out estimated to take place over 10 years.
- The costs of infrastructure are a significant development hurdle. Total current estimates are \$14 million with the first phase estimated at over \$5 million. The total costs would be spread out in phases.
- The civic/education facility planned on the site will need to pursue funding in addition to the potential housing and community development resources identified herein.
- Sales of land for market rate units will not only help subsidize infrastructure development but will also help subsidize the development of affordable housing units by providing buildings and units (beyond land and infrastructure).
- The preferred option requires \$7.6 to \$10.3 million in subsidies
 (\$2023) which would offset the costs of infrastructure as well as
 the delivery of affordable housing units. Current estimated sources
 include DOLA state grants, City contribution to help offset
 infrastructure and civic / educational costs, County contributions for
 the spine road and emergency access improvements and Colorado
 Mountain College.

- An approximate \$5.2 to \$7.8 million in residual land value sales proceeds are estimated and assumed.
- The preferred governance structure would entail continued involvement on the part of the City, ideally through partnerships with both private and nonprofit partners. Ideally the City should participate in the Master Developer role, plowing sales proceeds and potential profits back into the community, thereby helping to subsidize the development and delivery of affordable housing units.

Introduction and Background

This memo focuses on the financial analysis, potential development structure and timing of the South Ark neighborhood build-out.

One of the goals of the South Ark neighborhood is to help address the affordable housing needs of Chaffee County as defined in the Housing Needs Assessment update.

Per the Overall Development Plan (ODP), the South Ark neighborhood is planned for **350 to 400** dwelling units intended as permanent residences for residents who are part of the Chaffee County workforce as employees, business owners, contractors and other workers as defined, and certified by the City Administrator and his/her designee. At least **50% of the total residential units shall be deed-restricted** affordable rental or ownership units as defined as follows:

- Affordable Rental Units: Affordable housing rental units shall be defined as units legally restricted to 30% to 100% of Area Median Income (AMI) for Chaffee County as defined by the Colorado Housing Finance Authority (CHFA).
- Affordable Ownership Units: Affordable housing ownership units shall be defined as units legally restricted to 60% to 160% of Area Median Income (AMI) for Chaffee County as defined by the Colorado Housing Finance Authority (CHFA).
- **Tenure Split**: Half of the deed restricted units shall be targeted as rental units while the other half is targeted as ownership units.

Other goals include:

- **Timing:** Affordable housing units should be built at substantially the same time as other units in the same phase or zone district.
- ADUs: Accessory Dwelling Units (ADUs) are highly encouraged but not required. ADUs are intended to help further the goal of serving the affordable workforce needs of the County and the City. Short Term Rentals in ADUs will not be allowed.
- Inclusionary Housing Ordinance: The deed-restricted percentage requirements for the South Ark neighborhood as described in the ODP supersedes Salida's Inclusionary Housing ordinance.

Planning Options & Lessons Learned

- The planning process which took place in late 2022 through 2023 examined several ways of organizing and phasing the community given transportation, environmental, flood plain, community, design, infrastructure, open space and recreation, and a myriad of other considerations.
- The final two site plans are shown in the following pages. The site
 plans are the basis for the Overall Development Plan (ODP) which
 provides a general framework for ultimate site development.
- It is anticipated that additional design work and coordination are needed to bring the site plan closer to building / construction plans. Changes could include substituting housing types and smaller lots. However, all changes need to fit within the general framework of the ODP.
- The primary difference between the two options is the location of the civic / education building and associated services and unit count. As there is currently no identified funding source for the civic/education facility, it is anticipated that development on the eastern edge of the South Ark neighborhood plan (where the civic/education facility may be located), by necessity, needs to remain somewhat flexible.
 - Option 1 includes the civic/ education building located in the center of the neighborhood. The eastern edge of the site would remain open until it is ultimately developed as civic / education facility.
 - Option 2 depicts the civic/education building located at the edge of the neighborhood with a fuller residential neighborhood and a higher overall unit count. Should the building fail to identify funding, building out the housing within the center of the neighborhood as shown in Option 2 would be recommended.

Key Considerations:

- Paying for infrastructure: The costs of Infrastructure were
 estimated at approximately \$14 million for sanitary sewer, water,
 electrical, gas, streets, stormwater, grading, and
 telecommunications. The first phase of infrastructure provision is
 especially high at \$5 million because of the need to make these
 services available to an area with no existing infrastructure.
 Subsequent phases are less expensive.
- Civic/education uses should also help pay for infrastructure costs to not overly burden the residential units: The infrastructure burden should not be placed on the residential units alone. Should that happen, the infrastructure cost per unit would be significantly more than the infrastructure costs at other similar communities in the Salida area. In order to make this neighborhood attractive to potential master developers or housing developers, the civic / education building should pay its fair share of infrastructure costs. This estimated cost has been bundled into the City's expected contribution.
- Potentially competitive development pipeline which should be continually monitored: A number of units are in the planning pipeline at the City of Salida helping address needs at the AMI levels forecast for the South Ark neighborhood. Market rate units are also in the pipeline as shown on the following pages.

In addition to the Salida market, Buena Vista is also planning for The Crossing, which is a 100+ unit residential and commercial project on Highway 24 which is forecasting up to 50% of their units for deed restriction. Their plan is to serve about the same AMI levels as the South Ark neighborhood.

Planning Options & Lessons Learned

Although the affordable housing need is significant in the County, monitoring the development timing of affordable projects will be important to not overwhelm potential affordable housing partner agencies and to ensure that there is no lag between unit provision and tenanting.

Salida Projects In Process or Recently Built: October 2023

						Salida						
			3rd &	River	West	Cross-	Confluent	Two Rivers	505 Oak	Jane's	Angel-	
	1st&D	HRRMC	M	Ridge	End	ings	Park	Southside	Street	Place	view	Total
Planned												
SF/SFA			4	42	38	92	85-110	65	10		100	281-306
Apartments	19	5	2				32	50	32		40	180
Other										17		17
Planned Total	19	5	6	42	38	92	117-142	115	42	17	140	478-503
Restricted												
SF/SFA			4		6	24			2			36
Apartments	19	5	2					10	6			42
Transitional										17		17
Restriction Notes	60%-100%	TBD	80% AMI		80% AMI	120%-160%	%	Apts (80%)	TH (120%-160%)	<30%		
								-	Apts (80%-100%)			
Planned Restricted Total	19	5	6	0	6	24	o	10	8	17	0	59
Restricted % of Total												12%

Source: City of Salida, ArLand

Option 1 Program

Option 1 shows a scenario which maintains the eastern edge of the site free of vertical development but in return has fewer housing units possible. This option includes 350 units and an additional 28 Accessory Dwelling Units (ADUs) for a total of 378 units.

PROGRAM			
TOTAL			
Unit:	Land Area	Units	ADU/Comm
Single Family	114,000	28	28
Duplex	120,200	52	0
Townhome	168,000	104	0
Apartments	163,694	166	0
Total	565,894	350	28
Acres	13	27	du/ac
Commercial (sf)			10,000
Rec Center (sf)	54,677		30,000

DIFFERENTIATORS: Civic/Education building located in	Smaller Neighborhood Park /
center of neighborhood	More Flexible Field Space
 Keeps eastern area of site as undeveloped Separates building from recreation fields Until developed, would remain open space May seem 'private' instead of 'public' if tucked into neighborhood 	Not Maxing Out Housing Units Less feasible financial model (civic/education building would need to pay fair share of development costs)

The ODP for the site allows up to 400 units but flexibility is allowed to accommodate additional uses in the neighborhood.





Option 2 Program

Option 2 includes 400 units and the potential for approximately 30 Accessory Dwelling Units (ADUs) for a total of 430 units. This option locates the civic/education facility in the eastern half of the site in order to maximize space for more residential units. This best reflects the maximum development scenario allowed by the Overall Development Plan approved in October, 2023.

Units	ADU/Comm
28	28
62	
132	2
178	
400	30
28	du/ac
	9,000
	30,000
	28 62 132 178 400

DIFFERENTIATORS:

Civic/Education building located at eastern gateway site (CR 104)

Development on eastern edge
 Co-locates recreation amenities

Lintil developed, would remain open so

More accessible to the rest of Salida

Larger Neighborhood Park / Less Flexible Field Space

Maxing Out Housing Units

More feasible financial model because of more housing units.



LEGEND:

SMALL LOT SINGLE FAMILY

DUPLEX

TOWNHOMES

APARTMENTS / WALK-UPS

MIXED USE BUILDING

CIVIC / EDUCATION BUILDING

TOTAL

491,750

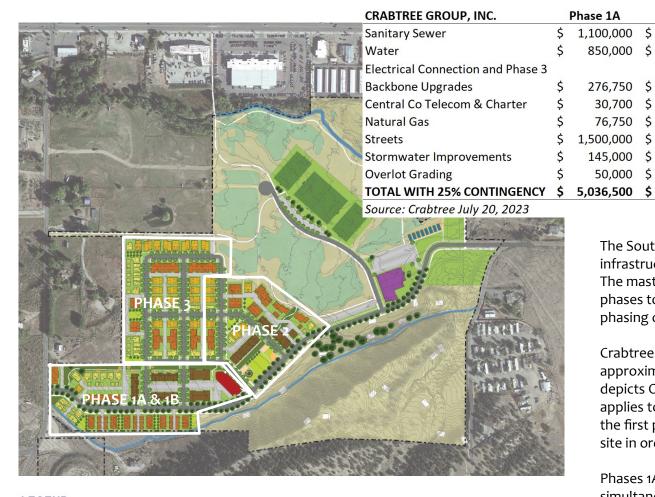
116,700

291,750

235,000

200,000

Infrastructure Phases and Costs



LEGEND:

SMALL LOT SINGLE FAMILY

DUPLEX

TOWNHOMES

APARTMENTS / WALK-UPS

MIXED USE BUILDING

CIVIC / EDUCATION BUILDING

The South Ark neighborhood area will need infrastructure to accommodate a new community. The master plan area has been divided into several phases to accommodate a 10-year buildout and phasing of infrastructure over time.

Phase 2

62,500 \$

25,000 \$

62,500 \$

30,000 \$

50,000 \$

1,000,000 \$ 1,160,000 \$1,390,000 \$ 5,050,000

1,997,500 \$ 3,362,500 \$3,735,000 \$14,131,500

Phase 3

480,000 \$ 830,000 \$ 2,580,000

870,000 \$ 540,000 \$ 2,490,000

82,500 \$

33,000 \$

82,500 \$

30,000 \$

50,000 \$

Phase 1B

276,750 \$

30,700 \$

76,750 \$

50,000 \$

170,000 \$

230,000 \$

70,000 \$

28,000 \$

70,000 \$

30,000 \$

50,000 \$

Crabtree Group provided the phasing plan, approximate locations and estimates. The example depicts Option 2. The same costs and phasing also applies to Option 1. The largest costs are incurred in the first phases in the south and west corners of the site in order to bring infrastructure in.

Phases 1A and 1B are anticipated to occur almost simultaneously with development in the very southwest corner anticipated to occur first.

Option 1—Phases



PHASES				
Unit:	Units	ADU	Desc	Affordability
Phase 1A and B	: South and	West		
Single Family	10	10	1,200-2,000 sf, 1-2 story	
Duplex	2		1,200-2,000 sf, 1-2 story	
Townhomes	48		1,200-2,000 sf, 2-3 story	25 @ 140%
Apartments	66		960-980 sf	66 @ 80%
Subtotal	126	10		
Phase 2: East				
Single Family			1,200 sf, 2 story	
Duplex	10		1,600-2,000 sf, 2 story	10 @ 140%
Townhomes	8		1,200-2,000 sf, 2-3 story	8 @ 100%
Apartments	100		800-960 sf units	5 @ 80%
Rec Center			30,000	
Subtotal	118			
Phase 3: Centra	ı			
Single Family	18	18	1,200-2,000 sf,1-2 story	18 @ 160%
Duplex	40		1,600-2,000 sf, 2 story	24 @ 120%
Townhomes	48		1,200-2,000 sf, 2-3 story	19 @ 120%
Apartments				
Subtotal	106	18		
TOTAL	350	28		175
Affordable % of	Total (w/o	ADU)		50.0%
Affordable % of	Total (w/ A	ADU)		53.7%

LEGEND:

SMALL LOT SINGLE FAMILY

DUPLEX

TOWNHOMES

APARTMENTS / WALK-UPS

MIXED USE BUILDING

CIVIC / EDUCATION BUILDING

This table also depicts the phases, unit types, and assumptions about potential affordability levels and unit types. This represents an example of how the ODP guidelines *may* be followed, but does not represent a requirement.

Option 2—Phases



PHASE 1	SE 3
LEGEND: SMALL LOT SINGLE FAMILY DUPLEX TOWNHOMES	This table also depicts the phases, u assumptions about potential affordand unit types. This represents an expression of the second contract of the phases of the phase o

LEGEND:						
	SMALL LOT SINGLE FAMILY					
	DUPLEX					
	TOWNHOMES					
	APARTMENTS / WALK-UPS					

MIXED USE BUILDING CIVIC / EDUCATION BUILDING

unit types, and dability levels example of how the ODP guidelines may be followed, but does not represent a requirement.

PHASES				
Unit:	Units	ADU	Desc	Affordability
Phase 1A and B	: South and	West		
Single Family	10	10	1,200-2,000 sf, 1-2 story	
Duplex	2		1,200-2,000 sf, 1-2 story	
Townhomes	50	2	1,200-2,000 sf, 2-3 story	25 @ 140%
Apartments	42		960-980 sf, 2-3 story units	
CMC	90			90 @ 80%
Commercial SF			9,000	
Subtotal	194	12		
Phase 2: East				
Single Family	0	0	1,200 sf, 2 story	
Duplex	16		1,600-2,000 sf, 2 story	6 at 140%
Townhomes	40	0	1,200-2,000 sf, 2-3 story	16 @ 100%
Apartments	46		960 sf	
Subtotal	102	0		
Phase 3: Centra	I			
Single Family	18	18	1,200-2,000 sf, 2 story	18 @ 160%
Duplex	44		1,600-2,000 sf, 2 story	20 @ 120%
Townhomes	42		1,200-2,000 sf, 2 story	25 @ 120%
Apartments				
Rec Center			30,000	
Subtotal	104	18		
TOTAL	400	30		200
Affordable % of	Total (w/o	ADU)		50.0%
Affordable % of	Total (w/ A	ADU)		53.5%

Master Development and Residual Land Value (RLV)

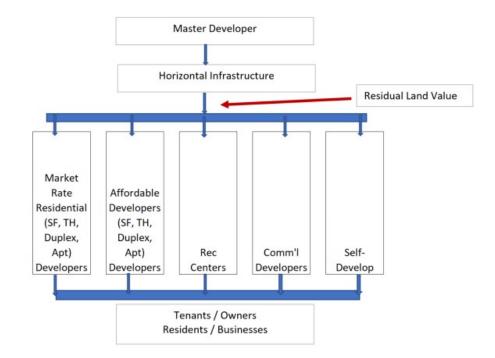
Development of the community will require a **master developer** who can install the horizontal infrastructure and then makes lots available to other single family, duplex, townhouse or apartment developers.

Master developer roles include the following:

- Obtains land control either through purchase or partnership
- Finalizes master plan: parcel subdivisions, infrastructure plans
- Obtains property entitlements
- Pays fees
- Finances, pays for, manages the installation of public infrastructure
- Markets, sells properties to other developers or self-develops

Residual Land Value

- Residual Land Value is the price that a residential or commercial developer can pay for land from the master developer (who installed the horizontal infrastructure)
- The Residual Land Value (or the price of a parcel with infrastructure) can be used to help offset the costs of infrastructure installation at the South Ark neighborhood
- Residual Land Value is Future Developed Value minus Total Development Costs (including profit)
 - Future Developed Value—is the projected revenue that the developer expects to generate from selling or leasing
 - Total Development Costs—all expenses required to bring the project to completion, including construction costs, financing costs, legal, architectural, marketing and brokerage fees, profit



Option 1—Sources and Uses

				Total			
PROJECT USES					Residual Land Value Proceeds (\$)		
Land Value (Costs)					Market Rate Single Family	\$ 1,	,000,605
S Ark Plan Area (~28 ac; ~15 dev)	\$400,000	ac			Market Rate Plexes	\$ 1,	,122,160
JAIRTIAITAICA (20 ac, 13 acv)	350	units			Market Rate Townhome	\$ 2,	,045,653
Trunk Infrastructure	330	units			Market Rate Apartments	\$ 1,	716,205
Hard Costs (see Crabtree estimates of	of 7 20 2023	1			Affordable Single Family	\$ 1,	,392,608
Sanitary Sewer	7.20.2025	,	\$	2,580,000	Affordable Plexes	\$ (1,	,357,275)
Water			\$	2,490,000	Affordable Townhome	\$	441,173
Electric Connection and Ph3 backbo	ne ungrades		\$	491,750	Affordable Apartments	\$ (1,	,717,264)
Central Co Telecom & Charter	ne upgrades	•	\$	116,700	ADUs	\$	_
Natural Gas			\$	291,750	Commercial Space	\$	500,000
Streets			\$	5,050,000	Total Residual Land Value Proceeds (\$)	\$ 5,	143,865
Stormwater Improvements			\$	235,000			
Overlot Grading			\$	200,000	Public and Other Financing		
25% Contingency [1]			\$	2,863,800	DOLA, State	\$ 4,	,000,000
Total Hard Costs (Uninflated)			•	14,319,000	City	\$ 4,	,300,000
Total Hard Costs (Unimated) Total Hard Costs (Inflated at 3%)		7	14,313,000	County	\$ 1,	,000,000	
Total Hara costs (mjiatea at 370)					Colorado Mtn College	\$ 1,	,000,000
Soft Costs					Total Public and Other Financing	\$ 10,	300,000
Additional Planning / Feasibility			\$	100,000	TOTAL REVENUES (SOURCES)	\$ 15,	443,865
Infra Soft Costs			\$	100,000			
Permits and Fees	1.0%	of Infr HC	\$	143,190	PROJECT CASH FLOW	\$	22,535
Owner Contingency		of Infr HC+SC		286,380			
Legal and Insurance		of Infr HC	\$	143,190			
Selling and Closing Costs			Τ.	429,570	The column on the left shows forecast costs for		
Master Developer Profit 0.0% of Infr HC+SC			-	infrastructure and additional planning and legal wo			
Total Soft Costs (Uninflated)			\$	1,102,330	estimated at \$15 million. The column on the rig	ht shows	
Total Soft Costs (Inflated at 3%)			7	1,102,330	potential revenue sources. The Residual Land Value from		
					parcel sales is estimated at \$5.2 million. Public a		
Total Costs (Uninflated)			\$	subsidy source needs are estimated at \$10.3 mi		llion.	

Option 2—Sources and Uses

				Total			
PROJECT USES							
Land Value (Costs)					Residual Land Value Proceeds (\$)		
S Ark Plan Area (~28 ac; ~15 dev)	\$400,000	ac			Market Rate Single Family	\$	1,200,726
	400	units			Market Rate Plexes	\$	3,179,453
Trunk Infrastructure					Market Rate Townhome	\$	2,403,643
Hard Costs (see Crabtree estimates o	of 7.20.2023	3)			Market Rate Apartments	\$	1,372,964
Sanitary Sewer			\$	2,580,000	Affordable Single Family	\$	1,237,874
Water			\$	2,490,000	Affordable Plexes	\$	(1,023,813)
Electric Connection and Ph3 backbo	ne upgrade	S	\$	491,750 Affordable Townhome 116,700 Affordable Apartments		\$	(795,019)
Central Co Telecom & Charter	15.176		\$		-	\$	(238,196)
Natural Gas			\$	291,750	ADUs	\$	-
Streets			\$	5,050,000	Commercial Space	\$	500,000
Stormwater Improvements			\$	235,000	Total Residual Land Value Proceeds (\$)	\$	7,837,632
Overlot Grading			\$	200,000	Section (Control of Control of Co		
25% Contingency [1]			\$	2,863,800	Public and Other Financing		
Total Hard Costs (Uninflated)			\$	14,319,000	DOLA, State	\$	4,000,000
Total Hard Costs (Inflated at 3%)					City	\$	1,600,000
					County	\$	1,000,000
Soft Costs					Colorado Mtn College	\$	1,000,000
Additional Planning / Feasibility			\$	100,000	Total Public and Other Financing	\$	7,600,000
Infra Soft Costs		\$	_	TOTAL REVENUES (SOURCES)	Ş	15,437,632	
Permits and Fees	1.0%	of Infr HC	\$	143,190	PROJECT CASH FLOW		
Owner Contingency	2.0%	of Infr HC+SC	\$	286,380			16,302
Legal and Insurance	1.0%	of Infr HC	\$	143,190	TI I I I I I I I I I I I I I I I I I I		
Selling and Closing Costs 3.0% of Infr HC+SC		\$	429,570	The column on the left shows forecast costs for infrastructure and additional planning and legal work estimated at \$15 million. The column on the right shows potential revenue sources. The Residual Land Value fron			
Master Developer Profit 0.0% of Infr HC+SC		\$	-		_		
Total Soft Costs (Uninflated)			\$		1,102,330		
Total Soft Costs (Inflated at 3%)					parcel sales is estimated at \$7.8 million. Public and othe		
					subsidy source needs are estimated at \$7.6 million.	•	
Total Costs (Uninflated)			\$	15,421,330			

Development Assumptions

Assumptions

- Funding Sources: Subsidies are needed ranging from a currently estimated \$7.6 to approximately \$10.3 million. These subsidies offset the costs of affordable housing as well as the infrastructure needed. Potential sources include:
 - \$4.0 million in state grants from DOLA
 - \$1.6 to \$4.3 million from the City to help pay for the civic/ education facility portion of infrastructure as well as contributions towards the provision of affordable units and infrastructure.
 - \$1 million from the County to pay for spine road and emergency access improvements
 - \$1 million from Colorado Mountain College
 - Residual land value sales proceeds range from \$5.2 to \$7.8 million.
- Phasing: Based on an analysis of buildout of other communities in the Salida market (Angelview, Tailwind, Two Rivers, The Farm at Buena Vista), estimated buildout of 350 to 400 units will likely occur over 10 years. It is assumed that infrastructure and unit buildout will occur in approximately 3 phases.
- 2023 Estimates: The figures have been calculated with 2023
 estimates with no inflationary assumptions built in. Recent housing
 costs and prices have risen at a much faster rate than household
 incomes. The plan will need to be flexible enough to allow changes
 in future phases to accommodate future changes in the economy.
- Additional Planning, Entitlement, and Legal Costs: The financial model also assumes that additional budget would be needed to finalize the community's design, obtain further entitlements/ site plan approvals, obtain legal guidance, and pay potential brokerage fees for land sales.

- No Identified Funding for the Civic/Education facilities: The civic/ education facilities do not have cost estimates or identified funding sources associated with them. It is assumed that separate sources of funding will need to be pursued in order to help subsidize their construction or that the County/City may pursue a bond issuance to help pay for costs.
- Colorado Mountain College (CMC): CMC residential units are estimated to be at the 80% AMI level with the college assuming all responsibility for any subsidies needed.
- Provide Affordable Units: Sales of land for market rate units will help subsidize the development of affordable housing units by providing actual buildings and units (beyond providing land and infrastructure). The analysis assumes that market rate units pay for their portion of land and infrastructure while affordable units are provided land and infrastructure for free. It is also assumed that organizations developing the affordable units will pursue tax credits, other grant sources, philanthropic sources and others in order to help plug the funding gap.
- Partnerships: Local housing organizations (Chaffee Housing Trust and Chaffee Housing Authority) are also assumed to be partners and may help with funding. They are also assumed to manage and tenant some portion of the affordable units after they're constructed with the exact numbers to be determined later.

Governance Question

CITY'S ROLE IN DEVELOPMENT (PART 3)



A City Council / Planning Commission meeting held during the course of the planning process (June, 2023) outlined several different possibilities for development implementation of the South Ark neighborhood with the focus of the questions about City control and participation during the process. While there was one advocate for the lowest level of involvement, the majority of those present supported the medium level of involvement which is a City partnership with the private and non-profit sectors rather than ceding entire property development control to the private sector.

Governance Recommendation

Governance: Several governance structures are options as outlined below.

1. City as Master Developer or City Partnership with Master Developer:

The City, as Master Developer, would be able to exercise control over the entire development and insure that affordable housing units are built. Because the City, as a non-profit developer, could plow any sales proceeds back into the project, the potential for subsidizing the development and delivery of affordable housing units is enhanced. Because the role of the master developer is time-consuming and complex, additional staffing (with master development experience) would be needed.

Pros	Better control over quality and overall outcomes
Cons	Unprecedented in Salida
	City's don't typically develop and so don't typically have the organizational structure or capacity to assume this role
	Partnership may be challenging particularly with potential local partners who may not desire the public scrutiny that may come with this type of partnership

2. Sell portion of the Project to an Outside Master Developer

This scenario is a possibility if grant fundraising efforts fall very short. In order to raise funds to help pay for infrastructure, developers sometimes sell parts of their entitled parcels off at a project's inception with the proceeds used to help offset the infrastructure costs. While this scenario may help provide infrastructure and enable the market rate housing units to be developed, the development of affordable housing units may lag.

Pros	The project can be built more quickly and more efficiently and is a common method in the area to help pay for infrastructure
Cons	Less control over design and development outcomes with potential impact on the provision of affordable units.

Funding Sources

- Grant Funding: Any implementation scenario assumes that significant grant funding is pursued to help offset infrastructure costs. The estimated total infrastructure cost is \$14 million. The estimated subsidy needed, at this point in time, ranges from \$7.6 to \$10.3 million. The City could also potentially borrow funds (from a bank) to help fund infrastructure for the first phase based on the value of the land and its credit rating.
- DOLA Energy/Mineral Impact Assistance Fund Grant (EIAF): This program assists political subdivisions that are socially and/or economically impacted by the development, processing, or energy conversion of minerals and mineral fuels. This funding source can be used for infrastructure provision.
- **DOLA More Housing Now and Land Use Initiative:** This DOLA initiative helps address the significant demand for local government infrastructure to support affordable housing development.
- DOLA Strong Communities Grant: This grant provides funding to local governments for infrastructure associated with the development of community benefit-driven infill affordable housing that meets critical housing needs as identified by the local government.
- Proposition 123: Several hundred million dollars for affordable housing will become available in the second half of 2023 due to the enactment of Proposition 123 by Colorado's voters in 2022. Nonprofits, community land trusts, private entities, and local governments are eligible for grants and loans as long as the community has "opted in" and have committed to increasing their affordable housing stock above a baseline amount. The City of Salida has opted in. Because the program is new, it is unclear how much future funding will be available.

- CDOT Transportation Alternatives or Multimodal Options Fund: These funding programs primarily fund the design, planning, and construction of pedestrian or bike facilities which can be used to connect the South Ark neighborhood to the other side of US 50.
- CDOT Revitalizing Main Streets: This is a newer program which enhances active transportation safety and strengthens the connection of people to main streets and central economic hubs through funding infrastructure improvements to make walking and biking easier. This would be another potential source to connect the South Ark neighborhood to the other side of US 50.
- Community Development Block Grants
- Chaffee County
- Capital Improvement Program
- Streets Fund
- Occupational Lodging Tax (OLT) Revenues

Rivers and Recreation

- CWA Colorado Healthy Rivers Fund
- Great Outdoors Colorado (GoCo) Grants
- Philanthropic Organizations such as the Colorado Health Foundation
- Bond
- Recreation District
- Parks Fund (General Fund)
- Land and Water Conservation Fund

Note: Commonly used redevelopment tools include Tax Increment Financing (TIF) and Title 32 Metropolitan Districts. These were examined but not considered for the South Ark area. TIF is a powerful, appropriate tool within a district with a significant amount of commercial development. Title 32 Metropolitan District bond financing could be used to help pay for infrastructure, however, a \$14 million infrastructure need would require a \$20 million bond issuance. Payback would likely entail a special property tax district which may not be politically popular, although possible. The City does not have property taxes.





Planned Development Amendment Narrative

APPENDIX C

Vandaveer Ranch Planned
Development District Overall
Development Plan & Confluent Park
Planned Development Amendment





In partnership with:











Vandaveer Ranch Planned Development District Overall Development Plan

ARTICLE 1: DEFINITIONS

In addition to the definitions set forth in the Salida Land Use Code Section 16-5-20, the following terms shall be defined as follows.

Applicant or Developer will initially refer to the current owner of the property, as well as any entity that subsequently acquires a fee simple interest of record in any portion of the Project as a transferee of Developer. Applicant or Developer will include, collectively, all of the foregoing persons or entities, all of whom will be jointly and severally liable for the obligations and liabilities of the Developer to the extent such liability relates to the portion of the Project they purchase or otherwise obtain. Notwithstanding the foregoing, the term Applicant or Developer will not include (1) purchasers of subdivided residential lots or units or non-residential space in an approved PD or subdivision area or (2) holders of a security interest in the Project or a portion thereof.

Council or City Council means the City Council of the City.

Code means the same as City of Salida Land Use Code

Land Use Plan means the graphical Entitlements Map approved in connection with this PD Overall Development Plan, a copy of which is attached hereto as Exhibit A.

PD means the Planned Development District hereby approved for the Property

Postponed Submittal(s) means those items the City has determined are more appropriately postponed to the final development plan or subdivision stages of developing the Development as set forth in Article 2 of this agreement.

Project means that parcel of real property described on Exhibit B and which is referred to as The Vandaveer Ranch

Project Records means the various reports, maps, written documents, graphic documents and other data submitted by the Applicant in connection with this Project.

ARTICLE 2: BASIC INFORMATION REQUIRED FOR SUBMITTAL

2.01 This Planned Development District includes the following exhibits, all of which are attached hereto and incorporated herein by this reference:

Exhibit	Description		
A	Vandaveer Planned Development District Entitlements Map		
В	Vandaveer Planned Development Zone Districts Map		
С	Vandaveer Planned Development District Circulation Map		
D	Vandaveer Planned Development District Open Space and Parks Map		
Е	Vandaveer Environmental and Physiographic Map		
F	Vandaveer Utilities Map		
G	Warranty Deed and Legal Description of the Vandaveer Ranch Property		
Н	Policy of Title Insurance		

- **2.02** A legal description of the total site including any recorded easements proposed for development, including a statement of present and proposed ownership. This statement shall include the address of the Applicant, all the property owners, developers, parties of interest, and any lien holders.
 - The site is owned by the City of Salida, P.O. Box 417, Salida, CO 81201. The warranty deed and legal description, including recorded easements, is attached hereto as Exhibit G.
- **2.03** Evidence of the present ownership or agents thereof of all lands included within the Planned Development in the form of a current commitment for Title Insurance or Title Insurance Policy.
 - A copy of the policy of title insurance has been submitted and is attached hereto as Exhibit H.
- **2.04** A statement of planning objectives.

This PD District provides for new mixed use and residential facilities within the community. The objectives of this Planned Development District are:

- Create a range of housing types and housing styles to serve all ages and income groups within Chaffee County;
- Allow for a mix of retail, educational, research and development, incubator business spaces, eating and entertainment, recreation, accommodations and other desired non-residential uses;
- Encourage alternative modes of transportation through the provision of trails and paths
- Encourage innovations in non-residential and residential development through the use of flexible dimensional requirements so that the growing demands of the population may be met by greater variety and types, design and layout of buildings and the conservation and more efficient use of open space ancillary to said buildings;
- Provide needed transportation connections between the County Road 107 and County Road 104 as adopted in both the Salida Comprehensive Plan and Chaffee County Transportation Plan;
- Conserve the value of the land and preserve environmental quality though the protection of the floodplain and associated wetlands and the provision of park land and useable open space.
- Provide for building and site design that is energy and resource efficient, allows for local community power generation and reduces the amount of energy consumption and demand of typical development.
- 2.05 A statement of proposed ownership of public and private open space areas
 - This plan provides for parks and open space as depicted in Exhibit D: Vandaveer Planned Development District Open Space, Parks and Trails Map. The Plan includes open space and park lands adjacent to the river, including the location of Vandaveer family picnics, and creates desired trail connections along the river corridor. Additional open space is created on the bluff overlooking the property. This Plan dedicates a total of 16.6% of the Vandaveer Ranch site as parks and open space.
 - The City will retain ownership of the parks and open space areas identified in Exhibit D and any trails developed on City rights of way. Ownership of additional parks or designation of additional open space areas will be negotiated at the time of Final Development Plan or subdivision approval.
- **2.06** A proposed development phasing schedule
 - The development phasing schedule has not been determined at this time. The applicant is planning
 to sell the entire property to a developer who will determine the development phasing. Additional
 information regarding overall phasing of the development will be required at the time of Final
 Development Plan review.
 - The years 2006 thru 2008 will focus on seeking a master developer to fund needed infrastructure improvements and develop a Final Development Plan for the property. It is expected that in the

years 2008 to 2009, the design of the infrastructure necessary to support development will occur. Planned activities include:

- Refine site plan and access requirements,
- Develop a more detailed phasing schedule,
- Prepare grading and erosion control plans,
- Prepare overall utility and roadway plans, and
- Prepare preliminary and final plat for phases of the project.
- Complete Final Development Plan for each phase of the project.
- 2.07 Any general physiographic and environmental studies of the proposed site.
 - These are included herein as Exhibit E: Environmental and Physiographic Map and conditions.
- **2.08** A statement of the proposed method for controlling architectural design through-out the development.
 - Article 8 of this Overall Development Plan addresses development and design standards for the Vandaveer Ranch including each of the zone districts within the PD. More specific design guidelines will be developed at the time of Final Development Plan for each phase of the development. These more detailed design guidelines will be reviewed for compliance with the planning objectives stated in Section 2.04, Article 5 Dimensional Standards, Article 7- Special Provision to Cluster Developments and Article 8 Development and Design Standards.
 - In addition to the site development standards contained within this Overall Development Plan, architectural design will be controlled by protective covenants which will include design guidelines and a design review committee comprised of property owners within the Vandaveer Ranch.
- **2.09** A generalized drainage plan for the entire project indicating proposed on-site facilities and treatment and abatement of drainage to adjoining properties.
 - A generalized drainage plan for the entire project indicating proposed on-site facilities and treatment and abatement of drainage to adjoining properties shall be completed upon submission of a Final Development Plan.
- **2.10** Water and sewer demand for projected uses.
 - The City has adequate water rights and sewer treatment capacity to serve the projected uses at this time. At each submission for Final Development Plan the applicant will be required to provide detailed information regarding the projected demand of that phase so that the City can ensure that adequate capacity to serve is still available.
- **2.11** Letters from the City, appropriate utility districts and boards stating their ability to serve the development with water, sewer, electricity, natural gas, telephone and fire protection service.
 - The City, as the applicant, states that it can serve the development with water and sewer. Further system development may be required as the site develops including, but not limited to construction of an additional water storage tank. Utility extensions to serve the site will be the responsibility of the developer. Fire and police protection services are also available from the City.
- **2.12** A generalized trip generation study for the entire development and its sub-parts. Also a statement of the general intent of the applicant as regards the designation of public versus private roads.
 - The Trip Generation Study shall be submitted as part of the approval process for a Final Development Plan. The Planned Development implements the City's adopted Transportation Plan, the County's Transportation Improvement Plan and CDOT access control standards.
 - All roads shall be constructed according to Article IX of the City of Salida Land Use Code. It is expected that all roads will be dedicated public roads. The City may consider the creation of private

roads at the time of Final Development Plan if the plan meets all other review criteria of this PD and the Land Use Code.

- 2.13 A statement explaining how the development shall be served and what measures have been taken to reduce the fiscal impacts of the development on the City.
 - The development shall be served by municipal utilities and streets. The developer will bear the burden of infrastructure extension and construction. System improvements, including the eventual provision of a new water storage tank in this area will also be the responsibility of the developer unless the City agrees otherwise during Final Development Plan approval.

ARTICLE 3: OVERALL DEVELOPMENT DISTRICT ENTITLEMENTS BY PLANNING AREA

3.01 Planning Areas Identified and Entitlements.

The Entitlement Map delineates the nine [9] Planning Areas within the Property (each, a "Planning Area" and, collectively, the "Planning Areas"). The purpose of the Planning Areas is to identify the maximum number of residential units and square footage of non-residential space allowed within each portion of the Property designated as a Planning Area. Subject to the provisions of Section 3.03 below, the maximum number of residential units and maximum square footage of non-residential development (not including any public, not-for-profit or religious facilities) allowed within each such Planning Area shall be as set forth in the following chart (the "Planning Area Entitlements Chart"):

Planning Area Entitlements Chart

Training Area Entitiements Chart							
Planning Areas	Zoning	Gross Area	Dwelling Units and commercial lodging units *	Non-residential** Development Square Footage			
PROPOSED DEVELOPMENT	Corresponding Zone district	(Acres)	(up to and including)	(up to and including)			
VPA-1	Vandaveer Neighborhood	63.4	400	25,000			
VPA-2	Transitional Residential	15.6	130	30,000			
VPA-3	Mixed Use Village	44.1	180 [includes commercial lodging units]	300,000			
VPA-4	Mixed Use Village	21.2	100 [includes commercial lodging units]	100,000			
VPA-5	Transitional Residential	6.1	60	10,000			
VPA-6	Transitional Residential	9.4	80	10,000			
VPA-7	Open Space/Parks	18.0	0	2,500			
VPA-8	Open Space/Parks	11.7	0	2,000			
VPA-9	Open Space/Parks	2.1	0	500			
Total		191.6	950 units	480,000			

^{*} This represents the total number of units but does not specify if they are single family, attached, or stacked units

Notwithstanding anything to the contrary contained in this Article 3 or elsewhere in this Overall Development Plan, development for public occupancies shall not count against the maximum non-residential square footage allowed in each Planning Area.

^{**} Non-residential square footage includes employment centers, retail, commercial, educational centers, active and passive recreational uses requiring built facilities, commercial lodging, services, arts and cultural facilities, research and development

3.02 Minor Modification to Planning Area Boundaries.

The precise boundaries of the Planning Areas on the Entitlement Map shall be established by Final Development Plans. Such boundaries may be modified by the Property Owner or his/her designee from the boundaries shown on the Planning Areas Map in connection with an application for a Final Development Plan, without requiring any amendment to this Overall Development Plan, provided that the total acreage of the Planning Area is not increased or decreased by more than 10%. If such change is made, the Property Owner or his/her designee shall submit to the City Administrator or his/her designee a revised Entitlement Map indicating which Planning Area(s) have increased in size and which Planning Area(s) have decreased in size. The City Administrator or his/her designee shall cause such revised Entitlements Map to be recorded promptly in the real property records of Chaffee County, Colorado.

3.03 Transfer of Density among Planning Areas.

The maximum number of residential dwelling units and/or non-residential square footage allowed in any Planning Area may be increased by the Property Owner or his/her successor by up to ten percent [10%] of the amount specified for such Planning Area in Section 3.01 above, without requiring any amendment to this Overall Development Plan, provided that there is a corresponding decrease in the maximum number of residential units and/or square footage of permitted non-residential development in one or more of the other Planning Areas, so that the maximum number of 950 residential dwelling and accommodation units and 480,000 square feet of non-residential development for the entire Property is not exceeded. If such change is made, the Property Owner or his/her successor shall submit to the City Administrator or his/her designee a revised Entitlements Map, with a revised Planning Area Entitlements Chart indicating which Planning Area(s) have increased in number of residential units and/or amount of non-residential square footage and which Planning Area(s) have decreased in number of residential units and/or amount of non-residential square footage. The City Administrator or his/her designee shall cause such revised Entitlements Map and revised Planning Area Entitlements Chart to be recorded promptly in the real property records of Chaffee County, Colorado.

3.04 Transfer of Density into Planning Areas from Other Areas.

At such time as a Transfer of Development Rights (TDR) program is established in Chaffee County, this Plan may be amended to accommodate additional density through such a program. This change would be made as part of a TDR plan established by the City Council and would designate how much additional density would be permitted in each planning area.

3.05 Allocation of Density by the Property Owner or his/her successor.

Within each Planning Area, the Property Owner or his/her successor shall have the exclusive right to allocate the allowed residential units and/or non-residential square footage to parcels of land within such Planning Area. Such allocations may be set forth in a deed, deed of trust, plat or other document signed by the Property Owner or his/her successor and recorded in the real property records of Chaffee County, Colorado, a copy of which shall be provided to the City. Once so allocated, such densities may be reallocated by the Property Owner or his/her successor (in the same manner as set forth in the previous sentence) only with the consent of the owner of the land to which the densities have been allocated, or, in the case of an allocation set forth in a deed of trust signed by the Property Owner or his/her designee, the consent of the beneficiary of such deed of trust (provided, however, that if the deed of trust has been released, then such consent shall not be required). The Property Owner or his/her successor may, from time to time, assign the right to allocate the densities within any Planning Area(s) to any owner of land within the Property, or to a lender, by a written assignment signed by the Property Owner or his/her successor and recorded in the real property records of Chaffee County, Colorado, a copy of which shall be provided to the City. The assignee shall have all of the rights of the Property Owner or his/her successor under this Section 3.03 with respect to such Planning Area(s).

ARTICLE 4: OVERALL DEVELOPMENT PLAN ZONE DISTRICTS

4.01 Purpose of the Development Zones.

All uses must meet parking and other use specific criteria of the Code unless stated otherwise in this PD.

Vandaveer Neighborhood. This district is intended to provide an area for residential uses that increase the range of housing types and choice of housing styles within the community. Site and dimensional requirements are more flexible than what is allowed under the City's residential zone districts and are designed to promote innovative design and a greater choice of housing, promote housing affordability, and diverse home sizes to serve a mix of income levels. The size and location of the Vandaveer Neighborhood allows individual homes be oriented to take advantage of views and solar access.

Transitional Residential. The purpose of this district is to permit multi-family residential units in multi-story stacked structures along with conveniently located non-residential uses, small retail and professional offices that serve the neighborhood. The development will take measures to ensure compatibility with adjacent properties of lower densities and to provide adequate open space.

Mixed Use Village. This district is intended to permit a vertical mixture of compatible commercial and residential uses. Ground floor commercial uses are intended to serve the immediate surrounding residential areas and employment centers with convenience oriented retail sales and personal services establishments. Upper floor residential uses would be oriented to the local resident housing needs in terms of cost, finish and size.

Open Space /Parks and Recreation. Lands designated as Open Space or Parks and Recreation are shown on the zone district map as well as the Open Space, Parks and Recreation Map. These areas shall remain as permanent open space and parks, unless alternative open space or parks acceptable to the City is substituted. No improvements other than recreational facilities, roads and drainage facilities may be constructed in such open space areas.

4.02 Uses by Zone District.

All uses must meet parking and other use specific criteria of the Code unless stated otherwise in this PD.

4.02.1 Principal Uses (permitted by right)

These principle uses, as set forth below for each zone district, are permitted anywhere within such zone district, subject to approval of a Final Development Plan, subdivision plat and issuance of a building permit. Site plans will be required for any non-residential development, and all residential development of three units or more. All structures require building permit approval.

4.02.2 Accessory Uses (permitted by right)

Accessory Uses are permitted only if they are clearly subordinate to the principal use. They may constitute no more than 35% of the lot area and will be constructed concurrently with, or subsequent to the construction of the main building.

4.02.3 Conditional Uses (requiring approval)

A conditional use may be allowed in accordance with the Conditional Use Review Process set forth in the City of Salida Land Use Code if the location and the site proposed for the use is appropriate, the use is consistent with the purposes of the zone district within which it is proposed to be located, and the use is compatible with adjacent properties and uses.

4.02.4 Temporary Uses

Temporary uses are allowed in all zones as provided in the City's Land Use Code.

4.02.5 Uses Not Specifically Provided For

When a proposed use is not specifically enumerated it may still be allowed if deemed to be similar to an enumerated use by the City Administrator or his/her designee. This applies to all types of uses (i.e. principal, accessory, conditional and temporary) described above.

4.02.6 Zone Districts Created

The following zone districts are hereby created for the Project: Vandaveer Neighborhood; Transitional Residential; Mixed Use Village Center and Open Space/Parks and Recreation. The land areas are shown on the Vandaveer Planned Development Zone Districts Map Exhibit B.

4.03 Vandaveer Neighborhood

This PD zone district is intended to accommodate all types and sizes of single detached and attached residential dwelling units at varying densities. Limited non-residential uses providing amenities for the development are also allowed as a convenience to residents as well as incidental recreational, institutional, public and accessory uses compatible with the character of the district and customarily found to be viewed as an amenity by residents, thereby reducing vehicle trips are encouraged. All uses must meet parking and other use specific criteria of the Code unless stated otherwise in this PD.

4.03.1 Principal Uses Permitted by Right

- Single family dwellings
- · Attached Residential Dwellings with no more than six [6] residential dwelling units per structure
- Non-residential uses including neighborhood restaurants, professional offices, convenience retail establishments and service establishments under three thousand [3,000] square feet, however, no drive-up facilities shall be permitted.
- Active or passive recreational areas including ancillary support facilities such as restrooms or shelters of less than one thousand [1,000] sq. ft. without lighting

4.03.2 Accessory Uses Permitted by Right.

- Uses that are customarily incidental to any of the permitted principal uses and are located on the same lot or on an adjacent lot
- Accessory Dwelling Units
- Parking for the principal use
- Home occupations and home businesses which occupy less than thirty-five (35%) of the gross floor area of the residence, and which have no exterior indication of nonresidential activity. The business owner or operator must reside within the dwelling unit in which the business is conducted.
- Garages and carports
- Private greenhouses, swimming pools, patios or recreation facilities customarily incidental to residential
 uses
- Storage of materials, provided all such storage is located within a structure
- Home based day care serving not more than six [6] children for less than twenty-four [24] hours per day
- Other uses not listed above that are deemed similar by the City Administrator or his/her designee.

4.03.3 Conditional Uses. The following conditional uses shall be allowed, subject to compliance with the Conditional Use Review Process set forth in Article XI of the City of Salida Land Use Code:

- Sports complexes and active recreational fields, whether public, semi-public or private which may include related commercial uses, such snack bars and restroom facilities, instruction, equipment storage and maintenance facilities, including, but not limited to ball fields and courts, playfields and playgrounds.
- Public and private schools
- Public buildings and civic facilities
- Other uses not listed above that are deemed similar by the City Administrator or his/her designee.

4.04 Transitional Residential

This PD zone district is intended to promote the development of residential buildings that encourages pedestrian activity through the incorporation of pedestrian oriented uses at the ground level street frontage such as porches, stoops, walkups and living room windows. This district also is intended to accommodate higher density multifamily and attached residential dwelling units at varying densities with limited non-residential uses providing convenient amenities for area residents. All uses must meet parking and other use specific criteria of the Code unless stated otherwise in this PD.

4.04.1 Principal Uses Permitted by Right

- Single family dwellings
- Attached Residential Dwellings
- Multi- Family Residential Dwellings
- Professional offices, business offices, and studios
- Retail stores and commercial establishments, eating and drinking establishments, not exceeding six thousand [6,000] square feet (exclusive of outside dining areas)
- Outdoor dining areas at ground level
- Recreational services and support facilities of less than six thousand [6,000] square feet
- Personal/consumer services, such as: barber shops, beauty shops, and travel and ticket agencies of less than six thousand [6,000] square feet
- Active or passive recreational areas or facilities, both public and private, open or covered, Clubs, spas, health facilities (public or private, whether operated for monetary gain or otherwise)
- Cultural facilities, including but not limited to, museums, art studios, educational facilities, and amphitheaters (open or enclosed) for musical and/or theatrical performances
- Churches, if the traffic impacts can be mitigated and if adequate parking arrangements are made either on site or on an adjacent site
- Transit and parking lots and facilities, whether or not accessory to a principal use
- Other uses not listed above that are deemed similar by the City Administrator or his/her designee.

4.04.2 Accessory Uses Permitted by Right.

- Uses that are customarily incidental to any of the permitted principal uses and are located on the same lot or on an adjacent lot
- Accessory Dwelling Units
- Parking for the principal use
- Home occupations and home businesses which occupy less than thirty-five (35%) of the gross floor area of the residence, and which have no exterior indication of nonresidential activity. The business owner or operator must reside within the dwelling unit in which the business is conducted.
- Garages and carports
- Home based day care serving not more than six [6] children for less than twenty-four [24] hours per day
- Private greenhouses, swimming pools, patios or recreation facilities customarily incidental to residential
 uses
- Storage of materials, provided all such storage is located within a structure
- Other uses not listed above that are deemed similar by the City Administrator or his/her designee.

4.04.3 Conditional Uses. The following conditional uses shall be allowed within the areas of the Property designated Transitional Residential [TR], subject to compliance with the Conditional Use Review Process set forth in Article XI of the City Land Use Code.

- Sports complexes and active recreational fields, whether public, semi-public or private which may include related commercial uses, such snack bars and restroom facilities, band shells and pavilions, instruction, equipment storage and maintenance facilities, including, but not limited to ball fields and courts, playfields and playgrounds.
- Public and private schools
- Public buildings and civic facilities
- Day care facilities serving seven [7] or more children
- Other uses not listed above that are deemed similar by the City Administrator or his/her designee.

4.05 Mixed Use Village

This PD zone district is a mixed use business land use category located on both sides of State Highway 50. This land use classification reflects the difference in traffic volumes and accessibility to businesses along this corridor. It differs from Salida's Historic Downtown since this highway is controlled by the Colorado Department of Transportation [CDOT] with the purpose of serving as an important regional arterial and direct access to properties along this length of highway must be through a series of collector roads. Highway 50 is classified by CDOT as a Non-Rural Arterial—this means moderate travel speeds and relatively moderate to high traffic speeds. Any new or redeveloping business is required to get an access permit from CDOT. Given the function of this corridor and the fact that CDOT allows only one access point to any lot or combination of lots under one ownership, a wide range of complementary uses that can share access to the Highway are encouraged. This area is also the gateway to the City, so a focus of the area is the image presented to the public. Improved landscape, beautification efforts, parking and screened or enclosed storage to the side or back of the building and any other efforts are encouraged. All uses must meet parking and other use specific criteria of the Code unless stated otherwise in this PD.

The purpose of this district is to promote the development of a village center for retail, service commercial, recreational, educational, office and research and development uses and secondary residential uses by:

- 1. Providing convenient business and other services for residents, and visitors to Salida;
- 2. Providing a broad mixture of uses within a compact pedestrian oriented environment;
- 3. Facilitating small business development and vitality;
- 4. Provide land sufficient in size for the development of employment centers; and
- 5. Allowing for the development of educational facilities.

4.05.1 Principal Uses Permitted by Right

- Commercial establishments engaged in providing personal or financial services to the general public. Examples include banking, dry cleaning, laundromats, tailoring, shipping and receiving services, barber and beauty shop and businesses that offer goods and services for sale.
- Offices used for the transaction of business, professional, or medical services and activities including, without limitation, real estate brokers, non-profit organizations, travel agents, advertising or insurance agents, lawyers, physicians, dentists, architects, engineers, accountants, and other licensed professionals
- Day care facilities.
- Eating and drinking establishments, including but not limited to bakeries and delicatessens, cocktail lounges, taverns and bars, coffee shops, fountains and sandwich shops, restaurants and brew pubs, and nightclubs (with or without live entertainment), all of which may provide off site catering services.
- Fabrication or assembly relating to retail sales with no outside storage if the proposed use can demonstrate that it will not create traffic hazards, noise, dust, noxious fumes, odors, smoke, vapor, vibration or industrial waste disposal problems.
- Clubs, spas, medical, health and wellness facilities and the like (public or private, whether operated for monetary gain or otherwise).
- Public and private schools and colleges
- Arts and Cultural facilities including but not limited to, museums, art studios, educational facilities, and amphitheaters (open or enclosed) for musical and/or theatrical performances
- Public buildings and civic facilities
- Commercial Accommodations including hotels and other lodging facilities,
- Multi-family dwelling units only if located above ground floor retail uses.
- Employment Centers including light industrial uses, commercial retail and professional office and research and development if the proposed use can demonstrate that it will not create traffic hazards, noise, dust, noxious fumes, odors, smoke, vapor, vibration or industrial waste disposal problems. Light industries are small-scale, non-polluting industries with limited heavy truck traffic
- Transit and parking lots and facilities, whether or not accessory to a principal use.

4.05.2 Accessory Uses Permitted by Right.

- Uses that are customarily incidental to any of the permitted principal uses and are located on the same lot or on an adjacent lot.
- Inside storage of materials and equipment accessory to any of the permitted uses.

- Outdoor dining areas located on the ground level or above ground level and operated in conjunction with
 permitted eating and drinking establishments if they are adequately screened from adjacent residential uses
 and have provided adequate mechanisms to ensure that noise, light and odor emitted from the site is not
 heard on adjacent land parcels under a different ownership
- Other uses not listed above that are deemed similar by the City Administrator or his/her designee.

4.05.3 Conditional Uses. The following conditional uses shall be allowed within the areas of the Property designated Mixed Use Village Center subject to compliance with the Conditional Use Review Process set forth in Article XI of the City Land Use Code.

- Sports complexes and active recreational fields, whether public, semi-public or private which may include
 related commercial uses, such snack bars and restroom facilities, band shells and pavilions, instruction,
 equipment storage and maintenance facilities, including, but not limited to ball fields and courts, playfields
 and playgrounds.
- Distribution centers provided that sixty [60%] of the building area is dedicated to a retail use and the proposed use can demonstrate that it will not create traffic hazards, noise, dust, noxious fumes, odors, smoke, vapor, vibration or industrial waste disposal problems.
- Religious buildings, if the traffic impacts can be mitigated and if adequate parking arrangements are made either on site or on an adjacent site.
- Theaters, meeting rooms and convention centers
- Other uses not listed above that are deemed similar by the City Administrator or his/her designee.

4.06 Open Space/Parks and Recreation

This PD zone district is intended to prohibit intensive development, to provide open space and recreational facilities, and to protect the floodplain and wetlands. Areas designated as either Parks or Open Space satisfies the Planned Development District requirement for open space dedication which is as follows: "Residential developments shall dedicate twenty [20 %] of the gross land area for use as publicly accessible parks, open spaces, or trails. Such sites and land areas are intended for the use and benefit of the owners and future owners in the proposed PD. Non-residential developments shall dedicate eight percent (8%) of the gross land area within the PD as open areas for use as one or more of the following: Parks; Open spaces; Pathways including trails, recreation and bicycle paths that are separate and distinct from any parking area or lot; Landscaped areas including buffers and berms to separate dissimilar uses; Public or private outdoor seating areas; Plazas; Courtyards; and Play areas."

Active or passive recreational areas or facilities, both public and private, open or covered, (and which may
include related recreational amenities such as, snack bars and restroom facilities, band shells, picnic areas,
instruction, equipment storage and maintenance facilities), including, but not limited to fishing facilities,
ballfields and courts, play fields and playgrounds, trails, community supported agriculture, community
gardens, passive recreational and Open Space areas.

ARTICLE 5: DIMENSIONAL STANDARDS

- **5.01** Applicability of Dimensional Standards. The dimensional requirements set forth in this Article 5 apply to the siting and massing of buildings and structures within each of the Vandaveer Ranch Zone Districts. Variances from these requirements will be permitted only in accordance with Article 16-12 of the City's Land Use Code (Variances).
- 5.02 Height and Transition between Uses. When a non-residential or mixed-use building that is over fifteen [15] feet in height locates next to an existing subdivided lot on which there has been or will be constructed a detached single family residence, the non-residential or mixed-use building shall be required to be set back at least twenty-five [25] feet from the common lot line.

The maximum height of all structures is as follows:

- Single Family Detached Residential = Thirty-five [35] ft
- Single Family Attached Residential = Thirty-five [35] ft
- Multiple family Residential = Forty [40] ft or no more than 3 stories
- Non-Residential = Forty [40] ft or no more than 3 stories
- Mixed Use Residential and Commercial = Forty [40] ft or no more than 3 stories
- Accessory Buildings or Structures = Twenty-five [25] ft
- Mechanical equipment, chimneys, elevator penthouses, church spires and steeples, and similar appurtenances are exempted from height restrictions if those elements are usually appurtenant to a building. Mechanical equipment shall be setback or screened from view such that it cannot be seen from across any adjacent streets or rights-of-way.

5.03 Vandaveer Neighborhood [VR-VN]

Dimensional Standards for Areas within VR-VN are designed to allow for a full range of types and mixes of residential units at varying densities, and to allow clustering of development, and to allow convenience amenities including retail, office and recreational facilities. The following dimensional standards shall apply to those portions of the Property designated VR-VN on the Vandaveer Ranch Zone District Map:

5.03.1 Minimum lot area:

- Residential structures: three thousand [3,000] square feet per unit,
- Non-residential development or land parcels that include a mixture of land uses: five thousand [5,000] square feet

5.03.2 Minimum lot width:

- Thirty [30] feet, and building code requirements regarding minimum separation between structures are met.
- **5.03.3** Minimum setback requirements with no differentiation between front, side and rear:
- Eighteen [18] feet on one side, and five [5] feet on all other sides; attached residential structures do not require an interior setback
- **5.03.4** Maximum Impervious Coverage: Sixty percent [60%]; all areas that are impervious shall be landscaped as specified in Article VII of the Salida Land Use Code

5.04 Transitional Residential [VR-TR]

Dimensional Standards for Areas within VR-TR are designed to allow for a full range of types and mixes of products and uses, and to allow clustering of development. The following dimensional standards shall apply to those portions of the Property designated VR-TR on the Vandaveer Ranch Zone District Map:

5.04.1 Minimum lot area:

Twenty-five Hundred [2,500] square feet

5.04.2 Minimum lot width:

- Twenty-five [25] feet
- **5.04.3** Minimum setback requirements: No minimum setbacks from lot lines, so long as building code requirements regarding minimum separation between structures are met and required parking is provided off-street
- **5.04.4** Maximum Impervious Surface: Eighty percent [80%]; all areas that are not impervious shall be landscaped as specified in Article VII of the Salida Land Use Code.

5.05 Mixed Use Village [VR-MUV]

Dimensional Standards for Areas within VR-MUV are designed to allow for a full range of types and mixes of products and uses, and to allow clustering of non-residential development thereby encouraging pedestrian-oriented development. The following dimensional standards shall apply to those portions of the Property designated VR-MUV on the Vandaveer Ranch Zone District Map:

5.05.1 Minimum lot area:

• None

5.05.2 Minimum lot width:

- Forty [40] feet (measured at the front building footprint)
- **5.05.3** Minimum setback requirements: No minimum setbacks from lot lines, so long as building code requirements regarding minimum separation between structures are met and required parking is provided off-street. Visitor parking may be provided on street. [Reference Streetscape cross-section in Section 8.5.4]
- **5.05.4** Maximum Impervious Surface: Eighty percent [80%]; all areas that are not impervious shall be landscaped.

5.05 Open Space/Parks and Recreation [VR-POS]

There are no dimensional requirements associated with this land use designation.

5.06 Table of Dimensional Standards

Dimensional Standard	Vandaveer Neighborhood	Transitional Residential	Mixed Use Village
Minimum Lot Area	3,000 sq ft per unit – residential 5,000 sq ft – non-residential	2,500 sq ft	None
Minimum Lot Width	30'	25'	40'
Minimum Setback	18' on one side, 5' on all other sides	None*	None*
Maximum Impervious Coverage	60%	80%	80%
Maximum Height - single family	35'	35'	35'
Maximum Height - multi-family, non- residential and mixed use	40', no more than 3 stories	40', no more than 3 stories	40', no more than 3 stories
Maximum Height - accessory buildings	25'	25'	25'

^{*} No minimum setbacks from lot lines so long as building code requirements regarding minimum separation between structures are met and required parking is provided off-street

ARTICLE 6: SUBSTANTIVE LAND USE PROVISIONS

6.01 Lighting

The Project will utilize lighting techniques that minimize the impact of lighting on the night sky as provided for in Section 16-7-60 Illumination Standards of the City of Salida Land Use Code. In addition to said standards, the Project will also adhere to the following:

- **6.01.1** Neither the direct nor reflected light from any light source may create a traffic hazard to operators of motor vehicles on public roads, and no colored lights may be used in such a way as to be confused or construed as traffic control devices. Background spaces, such as parking lots and circulation drives, will be illuminated to be as unobtrusive as reasonably possible while meeting the functional needs of safe circulation and of protecting people and property.
- **6.01.2** The style of light standards and fixtures will be consistent with the style and character of the architecture proposed on the site. Poles (if other than wood) will be anodized or coated to minimize glare from the light source.
- **6.01.3** Light sources must minimize contrast with the light produced by surrounding uses, and must produce an unobtrusive degree of brightness in both illumination levels and color rendition. The light source must be a white or pale yellow color.

6.02 Development in Phases

It is anticipated that applications for Final Development Plans for various portions of the Property will be made from time to time as the development progresses. Materials to be submitted with each application for a Final Development Plan (traffic studies, drainage reports, etc.) shall only be required to address the impacts from the proposed development within such Final Development Plan, including any off-site impacts created as a direct result of such development. All applications for Final Development Plans shall be consistent with this Overall Development Plan, as it may be amended.

6.03 Postponed Submittals

The applicant has provided all submittal requirements as outlined in Article 2 with the exception of the following items. The applicant has worked with City staff regarding these items and the following determinations have been made:

- Ownership of additional parks or open space areas not included in Exhibit D will be determined at the time of Final Development Plan or subdivision approval.
- Phasing of development will be determined with each Final Development Plan application.
- Protective covenants which include further design guidelines and establish a design review committee will be considered at the time of Final Development Plan.
- A generalized drainage plan for the entire property will be required with the first Final Development Plan and site specific facilities and treatment and abatement of drainage will be required with each Final Development Plan.
- Detailed information regarding the projected demand for water and sewer services of that phase will be required for each Final Development Plan to ensure that adequate capacity to serve is still available.
- Trip generation studies will be required for each Final Development Plan. Consideration of any private roads will also be done at this stage.

6.04 Ownership and Maintenance of Roads

All roads shall be constructed according to Article IX of the City of Salida Land Use Code. Sidewalks shall follow the parkway; ramps; and curb return standards found in Section 16-9-20. Multi-purpose paths and trails shall be a minimum of eight [8] feet with ten [10] feet preferred.

6.06 Landscaping

The landscape preferences for the Vandaveer Ranch Project shall be predominantly native plants. All landscaping shall meet the requirements of 16-7-40 of the City of Salida Land Use Code.

ARTICLE 7: SPECIAL PROVISIONS TO CLUSTER DEVELOPMENTS

7.01 Purpose and Intent

The purpose and intent of this Section is to permit an administratively uncomplicated method to cluster residential development as a means to achieve imaginative, well-designed subdivisions that preserve Open Space, respect the physical qualities of the land and reduce overall development costs. More specifically, this development option is intended to permit clustered residential development, which will:

- **7.01.1** Allow for flexibility in design, site planning, and the allocation of density in exchange for increased preservation of Open Space to serve recreational, scenic and public service purposes, within the densities established by the Planning Areas and PD zone districts;
- **7.01.2** Promote more economically efficient subdivision layout by reducing street lengths, utility installations, and energy savings in street and utility line maintenance and garbage collection;
- **7.01.3** Encourage ingenuity in subdivision design to promote a variety of housing types;
- **7.01.4** Ensure that approval of clustered residential development is granted only if the subject parcel is large enough to make innovative and creative site planning possible;
- **7.01.5** Ensure that the applicants wishing to utilize the clustered residential development land planning option have the professional capability to produce a creative plan;
- **7.01.6** Ensure that the public interest in achieving goals stated in the Salida Comprehensive Plan will be better served by the clustered residential development provision and that the advantages to land owners afforded by the clustered residential development will be balanced by public benefits; and
- **7.01.7** Ensure that the Dwelling Units are concentrated on the most buildable portion of a parcel, so that natural drainage systems, Open Space, wildlife habitat, wetlands and other significant natural features that help control runoff and soil erosion are preserved.

7.02 Use and Density Requirements

Every clustered residential development will conform to overall density allocation within the Planning Area in which the Property is located and the uses set forth in the PD district.

7.03 Reduction in lot sizes

The size of all parcels may be reduced from the general lot size of the PD district, to a specific minimum lot size to allow for the clustering of Dwelling Units. All such lot reductions will be justified and compensated for by an equivalent amount of land in Open Space to be reserved as permanent Open Space and maintained for its scenic or recreational enjoyment or as wildlife habitat.

7.04 Dimensional Requirements; Modifications Allowed

7.04.1 Minimum Lot Area

The area of each lot within any subdivision may be reduced below the minimum lot size required by the PD zone district, provided that the total number of lots created within the subdivision is not more than what would have been allowed by applying the minimum lot size required by the PD district.

7.04.2 Setback Requirements

The minimum Setback requirements established by the PD district may be reduced, so long as at least one Setback has a minimum depth of eighteen [18] feet.

7.05 Eligibility Criteria

7.05.1 Land Area

A clustered residential development project will comprise at least four acres.

7.05.2 Clustered Residential Development Application Processed with Subdivision Plat. A request for clustered residential development will be processed and approved during the subdivision platting procedure.

7.06 Open Space

The amount of Open Space required for a clustered residential development will be equal to the amount that is equivalent to the total reduction in lot size for all lots in the development. Land reserved for Open Space will be preserved and maintained for scenic value, recreation or conservation uses, or to provide wildlife habitat. Any improvements will be consistent with such purposes. All Open Space resulting from the application of this clustered residential development provision will be protected by legal arrangements, reasonably satisfactory to the City, sufficient to assure its maintenance and preservation for the purpose intended. Covenants or other legal arrangements will specify the owner and maintenance responsibility which will be an owners association or Special District unless otherwise approved by the City.

ARTICLE 8: DEVELOPMENT AND DESIGN STANDARDS FOR THE VANDAVEER RANCH

8.01 Purpose and Intent

The purpose and intent of this Section is to set forth performance criteria that enhance and protect the environmental, geographic, historic, and visual qualities of the Vandaveer Ranch. The Standards are intended to promote the general health, safety, and welfare of the area by encouraging environmentally sensitive development. The Vandaveer Ranch presents a significant opportunity for development that reflects the unique characteristics of the area and protects and preserves environmentally sensitive areas. This Section first describes site development and design standards for each of the identified PD sub areas. More specific design guidelines as required by the City of Salida's Planned Development District will be forthcoming at the time of Final Development Plan submittal for each phase of development. [Refer to Section 2.12]

Following these subarea standards, there are overall standards and guidelines that address how different subareas which may be developed by different developers and builders should create transitions and unifying streetscape elements that ensure that the entire Vandaveer Ranch is perceived as a unified development.

Site plans, building form, landscape elements, street design and signs should be harmonious and result in projects that promote the following objectives:

- **8.01.1** The provision of necessary commercial, recreational and educational facilities conveniently located to housing to reduce the necessity and length of automobile trips;
- **8.01.2** The provision of well located, clean, safe and pleasant industrial sites involving a minimum impact on transportation facilities and adjacent uses;
- **8.01.3** The encouragement of innovations in residential, commercial, and limited industrial development and renewal so that the growing demands of the population may be met by greater variety in type, design, and lay-out of buildings and by the conservation and more efficient use of open space ancillary to said buildings;
- **8.01.4** A better distribution of induced traffic on the streets and highways;

- **8.01.5** Conservation of the value of the land;
- **8.01.6** Preservation of the site's natural characteristics and significant environmental resources;
- **8.01.7** Allows innovative housing choices within predominately single-family neighborhoods;
- **8.01.8** Provision of a range of housing types and price levels to accommodate diverse ages and incomes;
- **8.01.9** Promotion of the use of bicycles and walking as effective modes of transportation; and
- **8.01.10** Reduction of energy consumption and demand.
- 8.02 Vandaveer Neighborhood District: Development and Design Standards
 - **8.02.1** Development must be located with the existing topography in mind and shall minimize disruption to existing terrain, vegetation, drainage patterns, natural slopes and any other distinctive natural features.
 - **8.02.2** The design and siting of all structures shall protect and preserve wetlands and riparian areas, critical wildlife habitats, natural features and landmarks and shall minimize the visual impact from Highways 50 and CR 107.
 - **8.02.3** Home-based businesses shall only receive delivery of supplies between the hours of 8:00 a.m. and 6:00 p.m.
 - **8.02.4** All structures shall be set back a minimum of two hundred and fifty [250] feet from the edge of the stream channel.
 - **8.02.5** All development shall be designed so that for the given location, egress points, grading and other elements of the development could not be reasonably altered to:
 - Reduce the number of access points onto a collector or local street.
 - Minimize adverse impacts on any existing or planned residential uses.
 - Improve pedestrian or vehicle safety within the site and exiting from it.
 - Reduce the visual intrusion of parking areas, screened storage areas and similar accessory areas and structures.
 - **8.02.6** All development shall respect and complement existing development on abutting sites. This shall include:
 - Provision for consolidating access points with abutting properties through joint access easements or other negotiated means;
 - Provision for making sidewalks, trails and paths contiguous with abutting properties;
 - Compatible building massing and scale
 - **8.02.7** A variety of housing styles is strongly encouraged; therefore, model type shall vary. No two houses adjacent to one another shall have the same profile, roofline, and architectural features.
 - **8.02.8** Linear width of garage doors shall not exceed forty [40] percent of the linear width of a building's principal façade when the garage doors are part of the principal façade facing a street. If the garage is flush with the front façade, a covered porch or eave shall be extended forward from the front wall of the house at least six feet. Side-loaded and detached garages located behind the primary structure are encouraged.
 - **8.02.9** Orient buildings to take best advantage of solar access.
- **8.03** Transitional Residential District: Development and Design Standards
 - **8.03.1** Development must be located with the existing topography in mind and shall minimize disruption to existing terrain, vegetation, drainage patterns, natural slopes and any other distinctive natural features.
 - **8.03.2** The design and siting of all structures shall protect and preserve wetlands and riparian areas, critical wildlife habitats, natural features and landmarks and shall minimize the visual impact from Highways 50.

- **8.03.3** Home-based businesses shall only receive delivery of supplies between the hours of 8:00 a.m. and 6:00 p.m.
- **8.03.4** All structures shall be set back a minimum of 250 feet from the edge of the stream channel.
- **8.03.5** All development shall be designed so that for the given location, egress points, grading and other elements of the development could not be reasonably altered to:
- Reduce the number of access points onto an arterial collector or local street.
- Minimize adverse impacts on any existing or planned residential uses.
- Improve pedestrian or vehicle safety within the site and exiting from it.
- Reduce the visual intrusion of parking areas, screened storage areas and similar accessory areas and structures.
- **8.03.6** Orient buildings to take best advantage and solar access.
- **8.03.7** Linear width of garage doors shall not exceed forty [40] percent of the linear width of a building's principal façade when the garage doors are part of the principal façade facing a street. If the garage is flush with the front façade, a covered porch or eave shall be extended forward from the front wall of the house at least six [6] feet. Side-loaded and detached garages located behind the house are encouraged.
- **8.03.8** Parking lots shall be located to the side or rear of any structure.
- Avoid locating parking between the front setback and the street or open space.
- Improve the efficiency of parking areas by encouraging multiple uses to share parking spaces, curb
 cuts and circulation drives.
- Consider the comfort, compatibility with the overall site design, convenience and safety of pedestrians and bicyclists in parking lot design.
- **8.03.9** All development shall respect and complement existing development on abutting sites. This shall include:
- Provision for consolidating access points with abutting properties through joint access easements or other negotiated means;
- Provision for making sidewalks contiguous with abutting properties;
- Compatible building massing and scale
- **8.03.10** In order to create useable private open spaces for residences in this area, front yards shall be used for outdoor patio space or for a landscaped buffer space. It shall not be used for the outdoor storage of anything other than patio/porch furniture.
- **8.03.11** Development in the Transitional Residential District, including buildings, walls and fences shall be so sited to:
- Complement existing development in scale and location.
- Provide sidewalks as specified in the Section 6.4 or an off road system of pedestrian and bicycle trails of greater than five (5) feet in width.
- Create pocket parks or green spaces that are accessible to the public and at a minimum provide seating and landscaping.
- **8.03.12** Primary building entrances should be oriented towards streets, parks or pedestrian ways. Any multi-story building should have one clearly identifiable "front door".
- **8.04** Mixed Use Village District: Development and Design Standards
 - **8.04.1** Development must be located with the existing topography in mind and shall minimize disruption to existing terrain, vegetation, drainage patterns, natural slopes and any other distinctive natural features.

- **8.04.2** The design and siting of all structures shall protect and preserve wetlands and riparian areas, critical wildlife habitats, natural features and landmarks and shall minimize the visual impact from Highways 50.
- **8.04.3** Arrange residential, employment, retail, service and open space uses to be convenient to and compatible with each other.
- **8.04.4** Orient buildings and entrances to the street and/or public open spaces in order to create a defined street space and strong visual character.
- **8.04.5** All development including buildings, walls and fences shall be so sited to:
- Complement existing development within one hundred feet (100') of the site in scale and location.
- Provide sidewalks at least five feet (5') in width; and
- Create pocket parks or green spaces that are accessible to the public and at a minimum provide seating and landscaping.
- **8.04.6** New development shall minimize unused or unusable public or private areas in the side or rear yards.
- **8.04.7** Parking and loading areas for commercial and office uses must be paved and screened from view of any adjacent residential properties or public parks or public trail systems. In addition, loading and unloading facilities shall be located in the rear of buildings and shall be screened from public view.
- **8.04.8** In general, parking lots shall be located at the side or rear of the buildings. Avoid locating parking between a buildings frontage and the street or open space except where the size of the use/building or the size of the parking lot makes this infeasible. No parking lots shall be located between structures facing Highway 50.
- **8.04.9** All development including buildings, walls and fences shall:
- Complement existing development within one-hundred feet (100') in scale and location;
- Provide an adequate system of sidewalks or an off-street system of pedestrian and bicycle paths greater;
- Provide pocket parks, plazas, or green spaces that at a minimum provide seating and landscaping.
- **8.04.10** Ensure exterior walls are designed on a pedestrian scale by:
- Fragmenting them into smaller or multiple structures;
- Providing mature landscaping and manipulating the land form;
- Placing wall texture at eye-level;
- Clustering of small scale elements such as planter walls around the primary structure.
- Ensure that ground floor uses are oriented toward the pedestrian with storefronts that open onto the sidewalk as well as other pedestrian oriented spaces,
- Provide either a building or a landscaped area at least ten (10) feet wide containing dense planting between the front property line of any use and an outdoor parking or service area.
- Minimize the visual impact of service areas, refuse storage and mechanical/electrical equipment on streets, open space and adjoining development. Storage and refuse containers must be screened with impervious fencing or plantings.
- **8.04.11** Entrances to buildings shall be designed to ensure smooth and safe pedestrian circulation, and ease of snow removal.
- **8.04.12** Buildings will be designed so as to minimize snow shedding and runoff onto pedestrian areas and public ways.
- **8.04.13** Driveways crossing sidewalks on arterial streets may serve parking and loading only, but may not serve any drive-in, drive-through or auto service facility.

- **8.04.14** The ground floor of building frontages shall be primarily occupied by active commercial or institutional uses.
- **8.04.15** Buildings shall orient facades and main entries toward the street, toward a plaza or pedestrian way that leads directly to a street.
- **8.04.16** All auto-oriented uses shall provide a distinct edge to separate the impacts of the automobile from nearby residential and office uses. Each development shall include acceptable edge treatments. Representative examples include but are not limited to: back buffer landscaping, the screening of trash and loading facilities, and the introduction of alleyways, streets or pedestrian walkways. Facility entrance drives shall be readily observable to the first time visitor;
- **8.04.17** All development shall provide at least three or more of the following design features as a condition of development approval:
- Public or private outdoor seating areas
- Useable public spaces located in sunny places
- Pathways to civic uses and amenities
- Primary structure built to the sidewalk so as to create a reasonably continuous building edge that adds to the intensity and activity of this mixed-use subarea
- Inviting street level storefront that is oriented toward pedestrians and provides visually interesting forms or displays for the pedestrian; and/or
- Parking placed totally behind the primary structure, below grade, in a parking structure, or limit parking to one side of the building. In larger mixed- use projects, consider placing the parking within the interior of the project.
- **8.05** Vandaveer Ranch Overall Development and Design Standards to ensure compatibility between different developments.

8.05.1 Gateways:

- Vandaveer Ranch presents an opportunity to create an important defined gateway to the City of Salida along Highway 50 on the southern edge of the community. As part of the development of the Vandaveer Ranch, two way-finding monuments that point the traveling public to downtown Salida shall be developed along property abutting Highway 50. The first large monument is to be placed at the southern entrance to the Salida at the intersection proposed in the Overall Development Plan, and a smaller version of the monument shall be placed at the river crossing along Highway 50.
- To define the passage from one subarea to another, particularly from the predominantly residential neighborhoods to commercial areas, buildings or streetscape elements shall create a clear entry into the development at the main vehicular access points to the development. The use of coordinated architectural, landscape and lighting elements should be used at gateway opportunities between subareas or neighborhoods.
- Gateway elements should be primarily architectural elements and not signs, although graphic elements are allowed.
- All buildings elevations that face Highway 50 shall include architectural features and patterns since this corridor serves as the entryway into Salida [See specific standards for this subarea.]
- No fence, freestanding wall or berm located within 50 feet of Highway 50 shall exceed four [4] feet in height above grade except for screening required by State, or Federal law or by City ordinance.
- Landscaping shall be installed and maintained to a minimum depth of fifteen [15] feet along seventy percent [70%] of all property fronting on Highway 50.

8.05.2 Transportation System/Vehicular Access:

 All subdivisions within the Vandaveer Ranch shall provide an adaptable and interconnected transportation system that encourages alternate modes of transportation, disperses traffic, and provides

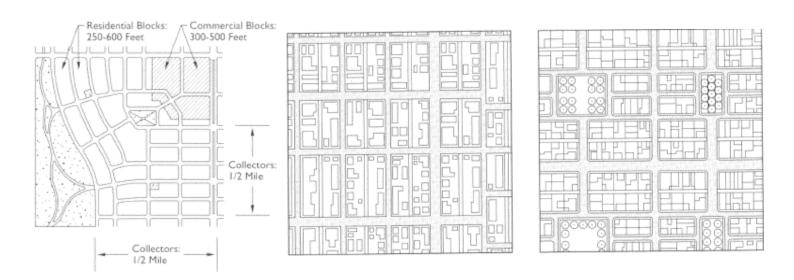
- streets that accommodate multiple modes of transportation including motor vehicles, bicycles, and pedestrians.
- Safe and efficient movement of vehicles, pedestrians and bicyclists is an important attribute of the Vandaveer Ranch. Uninterrupted pedestrian ways shall be maximized in order to improve or support the subarea as a walkable neighborhood.
- The width of driveways and curb cuts shall be minimized to reduce the overall impact of vehicular access across a planned pedestrian path or trail.
- Sharing of vehicle entries between two adjacent lots is strongly encouraged.
- Ensure all subareas have included a clearly defined connection to the regional trail system.

8.05.3 Transition between Subareas

- Arrange residential, employment, retail, service and open space uses to be convenient to and compatible with each other.
- Minimize the impacts of lighting on all predominately residential areas.
- Develop an identity for each neighborhood that reinforces the overall quality and character of the Vandaveer Ranch.
- Utilize the streetscape as a means to create cohesion between different developments.
- All buildings within the Vandaveer Ranch shall include buildings that break the building down into smaller forms and elements to maintain a neighborhood feel.

8.05.4 Street and Streetscape Design

- Streets should be designed equitably for pedestrians, bicycles and vehicles with pedestrian comfort as a primary concern.
- The street network shall form a generally connected pattern, with a minimum of cul-de-sacs.
 Rectangular grids shall be varied with boulevards, diagonal streets, curving crescents, eyebrows, ovals and courts providing visual interest.



Examples of preferred street network



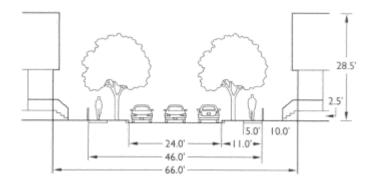


Curvilinear & Irregular street network – not preferred

- Alleys and driveways that serve multiple properties are encouraged to increase pedestrian comfort by reducing curb cuts and driveways and eliminating garage door dominance of the streetscape.
- Street widths shall be appropriate for the street type (i.e. local, collector, arterial) and shall conform to the dimensional standards of Article IX of the Land Use Code. Exception from these standards may be considered if the new design is found to further the goals of this Plan and satisfy all safety and maintenance concerns. The following are examples of local streets that may be compatible within the Vandaveer Ranch depending on the specific context including parking configuration, building use, degree/type of nonmotorist activity, truck traffic percentage, Americans with Disabilities Act (ADA) requirements and location within the urban fabric:

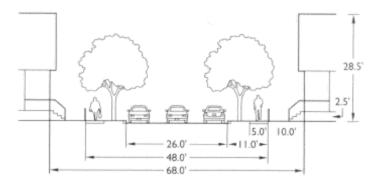
Edge Yield Street

This street type belongs on short blocks and between the edge and center of a neighborhood. Average daily trips (ADT) should not be more than 250 vehicles per day. Singlefamily detached building types should predominate.



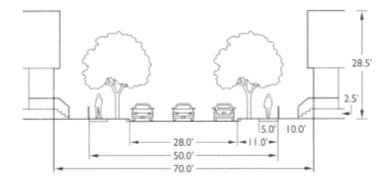
Residential Street

This is a typical residential street. Parking density must be evaluated to accommodate emergency vehicle access and operation.



Yield Street

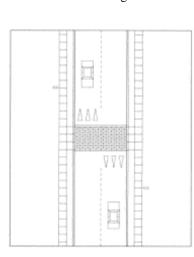
Detached residential and attached residential and mixed-use buildings front this street type, though the character of the street is still predominantly residential. Sidewalks generally are detached (5-foot minimum), but in areas of higher density the sidewalks can be attached and at least 10 feet wide. A retail condition may require 12- to 15-foot wide sidewalks.



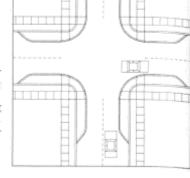
- The streetscape within the Vandaveer Ranch should generally include a travel lane(s), parking lane, adequate space for street trees and detached sidewalk that separate pedestrian paths from traveled rights of way.
- Differentiate between sidewalks, crosswalks, and hardscaped areas such as plazas by utilizing different pavement patterns, colors and materials.
- Utilize techniques such as reduced crossing widths and textured surfaces to calm traffic and facilitate pedestrian crossing.

Neckdowns

Neckdowns are curb extensions at intersections used to reduce the roadway width. They are also called bulbouts, curb extensions, or intersection narrowings.







Raised and Textured Crosswalks

Raised crosswalks are speed humps with flat tops marked for pedestrian crossings. They bring the street up to the sidewalk level, increasing pedestrian visibility and safety. Textured surfaces draw attention to pedestrian crossings.

Graphics used in this section are examples taken from <u>Planning and Urban Design Standards</u>, American Planning Association, published by John Wiley and Sons, 2006.

ARTICLE 9.0: GENERAL PROVISIONS

9.01 Recording

The City will record this Overall Development Plan with the appropriate graphic documents in the office of Chaffee County Clerk and Recorder. The Applicant will pay all recording costs.

9.02 Assignment

Developer may transfer any of the duties, obligations, burdens, benefits or rights set forth herein, to any person or entity, including but not limited to an Owner's Association. The liabilities and obligations of a transferee of Developer under this Agreement will extend only to liabilities and obligations that relate to the specific property identified in the transfer instrument and will not impose any liabilities or obligations relating to other portions of the Project. All such persons and entities will be deemed to have had actual and constructive notice of the provisions of this Agreement. Likewise, as the result of transfer by Developer, it will be relieved of the liabilities and obligations relating solely to the specific site described in the transfer instrument that have no effect or impact, either direct or indirect, on any of the other portions of the Project.

9.03 Vested Property Rights

This Overall Development Plan is a site specific development plan for the purposes of developing the Project. Approval of this Overall Development Plan creates a vested property right pursuant to Section 16-13-110 of the Salida Municipal Code and Article 68 of Title 24, C.R.S as amended.

9.04 Severability

If any provision of this Plan is declared to be unenforceable by a Court of competent jurisdiction, the remaining provisions will remain in full force and effect and the Court will construe the Plan to reflect the intent of the Parties to the maximum extent permitted by law.

9.05 Venue

Venue for any litigation will be solely in the County or District Court in and for the County of Chaffee and State of Colorado.

9.06 Integration

This Plan, in conjunction with the site plan drawings, represents the full and complete Planned Development District Plan.

9.07 Grammar; Construction

Unless the context requires otherwise, the use of the singular will include the plural, the disjunctive will include the conjunctive, and *vice versa*, and the use of any gender will include all genders. The various headings, captions and titles are for convenience only. In the interpretation or construction of this Contract they will be given no effect unless the context requires otherwise.

9.08 Notices

Notices will be in writing and will be mailed to the other party, postage prepaid, at the party's address set forth herein. If a fax number is provided any notice may be transmitted to same and will be deemed given on the date of transmission. Any mailed notice will be deemed given five days after mailing. Any address or number provided herein may be changed by notice in writing to the other party.

City of Salida c/o City Administrator P.O. Box 45 Salida, CO 81201 Phone (719) 539-4555 Fax (719) 539-5271

9.09 Attorney's Fees

In the event of any litigation arising between the City and Developer regarding the terms of this Plan, the prevailing party will be entitled to collect all costs, including reasonable attorney's fees.

NOW, THEREFORE, it is hereby resolved by the City Council of the City of Salida:

- 1. This Planned Development District Plan for the real property described in Article 2 and referred to as the Vandaveer Ranch is hereby approved and the Planned Development District designation is granted.
- 2. This Plan will constitute a new zone district. The portion of the Official Zoning Map of the City of Salida is hereby amended accordingly.
- 3. The City Clerk will record the pertinent site plan drawings for the Planned Development Overall Development Plan with the Chaffee County Clerk and Recorder. All recording costs are to be paid by the Applicant. Copies of all records will also be kept in the City Hall.
- 4. Upon filing and recording of the Planned Development District Plans, the terms and provisions of the approved Plan incorporated therein will govern and control the use and development of the Project.
- 5. The Developer will execute this Planned Development District Plan for the Vandaveer Ranch and will pay such fees as are required by the City of Salida Land Use Code.

This Planned Development District Plan for the Vandaveer Ranch is approved by the City Council of the City of Salida this 18thay of December 2006. The effective date for this Plan will be January 22 2006.

CITY:

CITY OF SALIDA, a Colorado Municipal

Corporation

Danny Knight, Mayor

ATTEST:

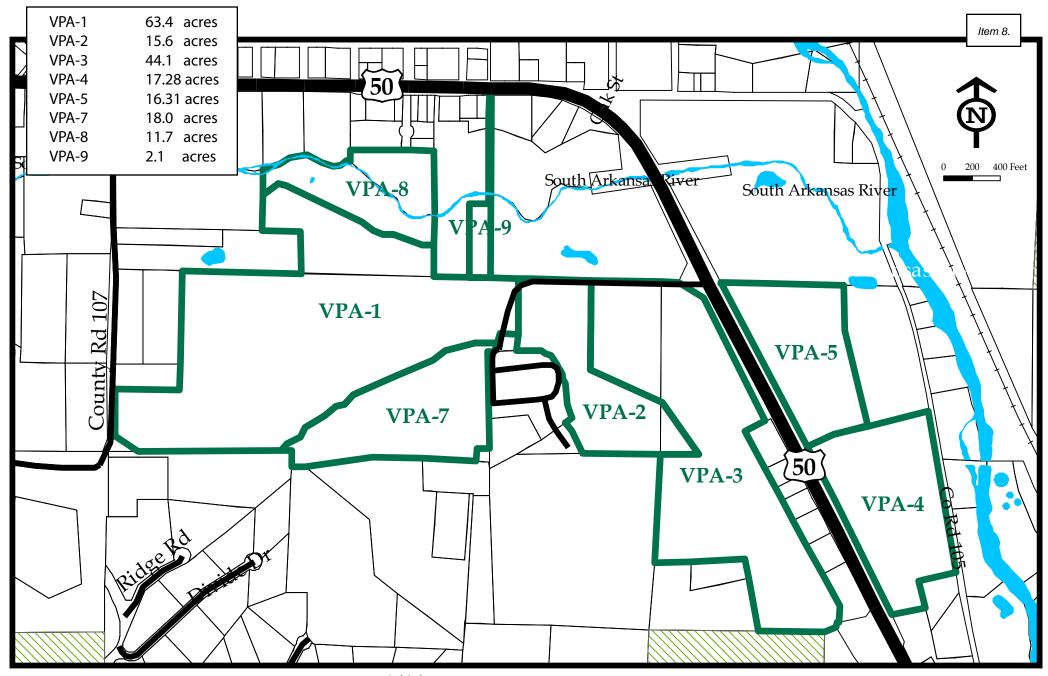
Janella Martinez, City Clerk

The Vandaveer Ranch c/o City Administrator

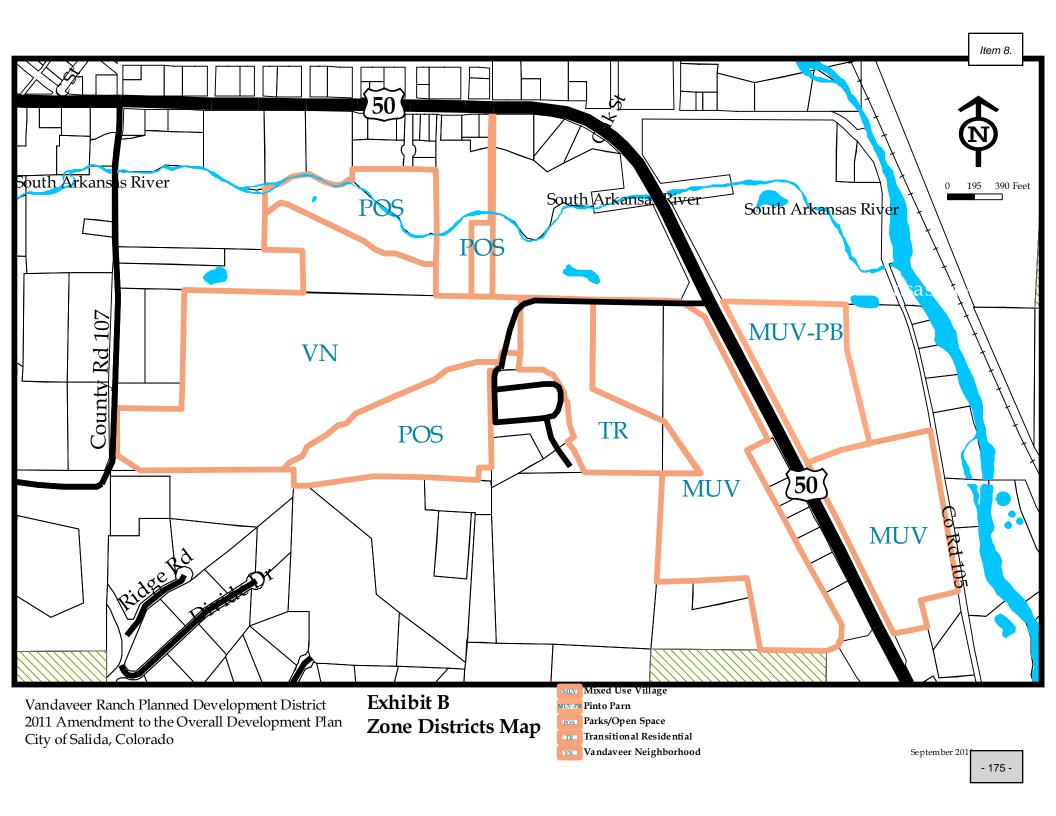
City of Salida

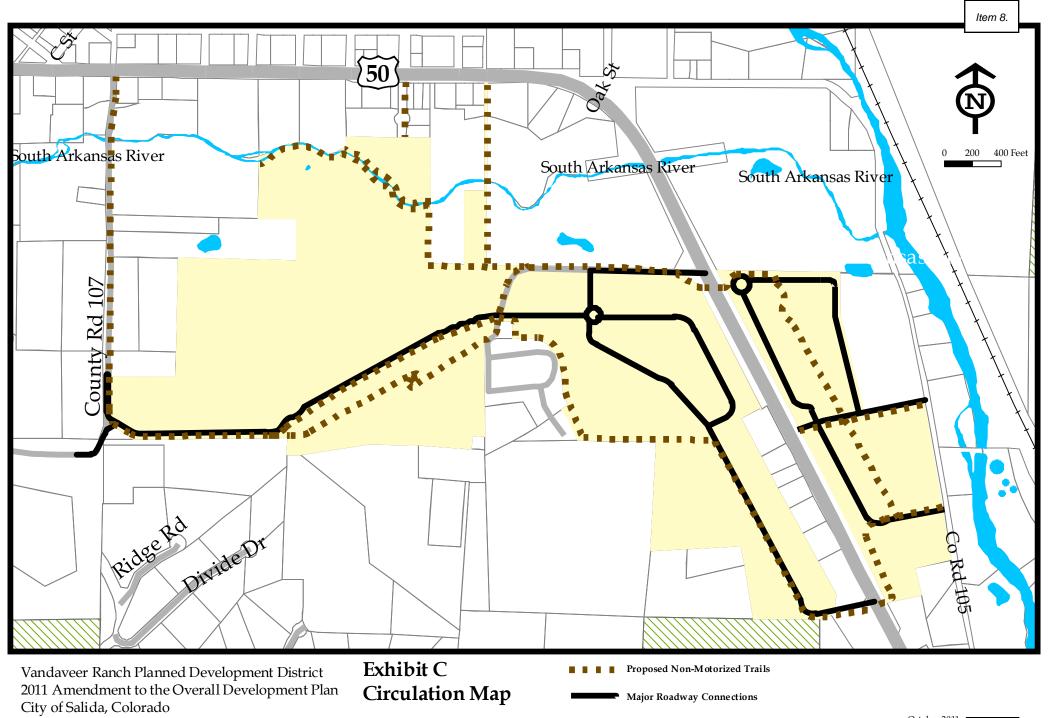
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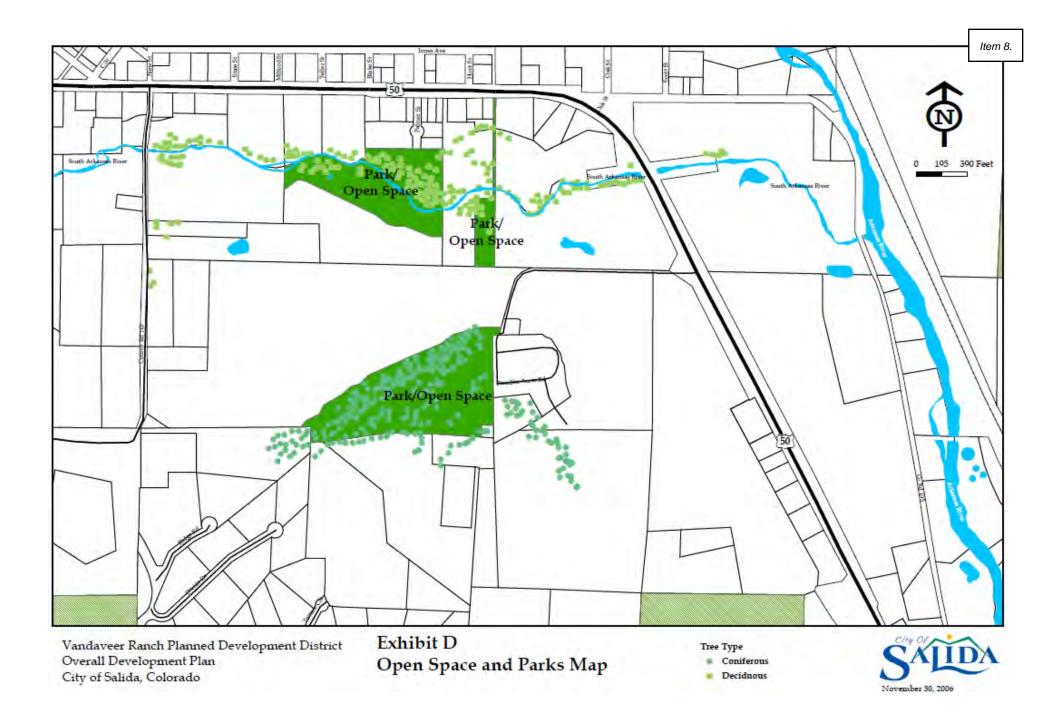
City Administrator

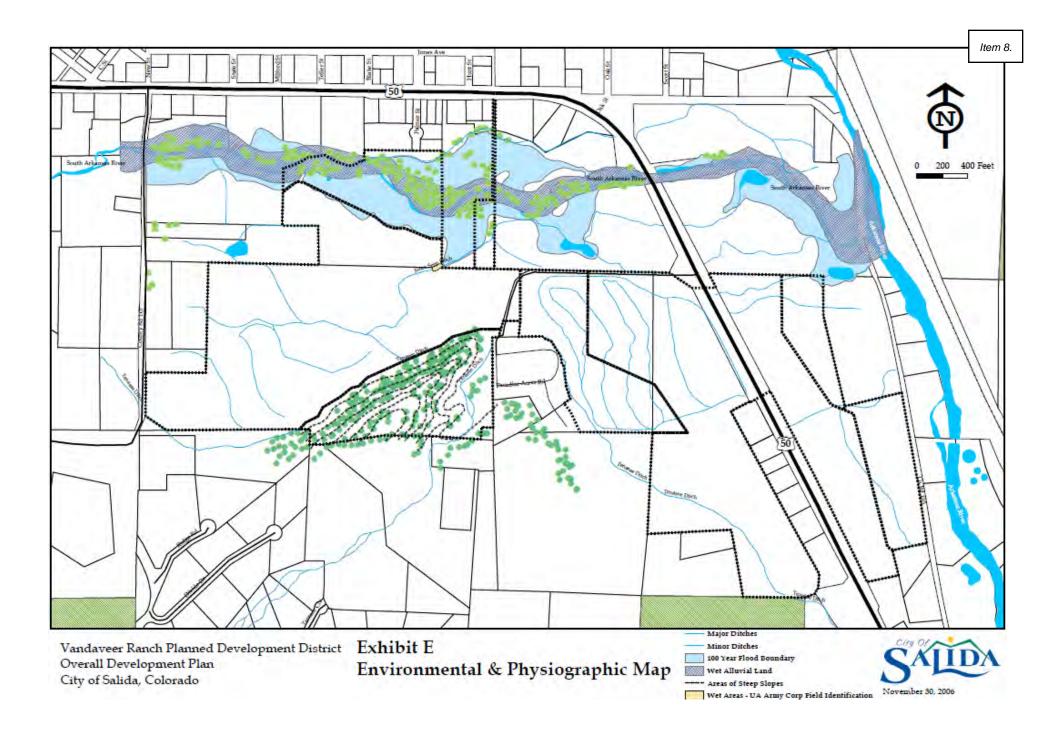


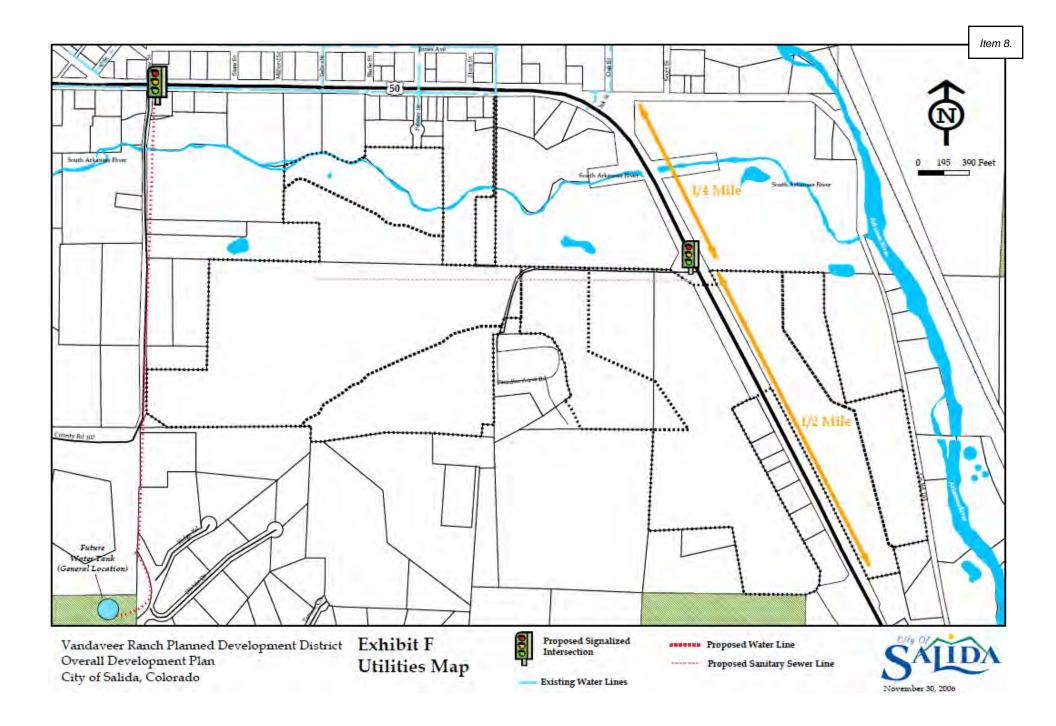
Vandaveer Ranch Planned Development District 2011 Amendment to the Overall Development Plan City of Salida, Colorado Exhibit A
Entitlements Map
Planning Areas











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ORDINANCE NO. 01 (Series 2020)

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO APPROVING A SUBSTANTIAL MODIFICATION OF PARCEL VPA-5 OF THE VANDAVEER RANCH PLANNED DEVELOPMENT TO MODIFY THE OVERALL DEVELOPMENT PLAN BY CHANGING THE ENTITLEMENTS, ZONE DISTRICT MAP, DIMENSIONAL STANDARDS AND ARTICLE 10: PINTO BARN PARCEL STANDARDS

WHEREAS, the City Council approved the original Overall Development Plan for the Vandaveer Ranch Planned Development by Ordinance 2006-19 on December 22, 2006; and

WHEREAS, the Overall Development Plan was modified by changing the entitlements, zone district map, dimensional standards and adding new Article 10: Pinto Barn Parcel Standards for Parcel VPA-5 by Ordinance 2011-16 on October 18, 2011; and

WHEREAS, Section 16-7-150 of the Salida Municipal Code (SMC) states substantial modifications to a Planned Development may be amended by the City Council after a public hearing and subject to certain criteria; and

WHEREAS, Parcel VPA-5 of the Planned Development corresponds to Lot 1 of the Salida Natural Resource Center Subdivision Amended-2 which was approved by the City Administrator on August 23, 2013 and is recorded in the Office of the Chaffee County Recorder at Reception No. 409772; and

WHEREAS, the landowner of Lot 1, Confluent Park Salida, LLC, has made an application to amend the Planned Development in accordance with the SMC, to allow development of Parcel VPA-5 in accordance with new land uses and development standards; and

WHEREAS, the City of Salida Planning Commission held a duly noticed public hearing on December 30, 2019 to review the proposed changes and made a recommendation that the City Council approve the proposed substantial modification of the Planned Development, with conditions, as it met the criteria stated in Section 16-7-150; and

WHEREAS, the proposal for the subject territory is consistent with the policies and goals of the City's land use regulations and Comprehensive Plan, and will advance the public interest and welfare; and

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

Section One

That the Vandaveer Ranch Planned Development District Overall Development Plan, Article 3, Section 3.01, the Planning Area Entitlements Chart be as follows:

Lori A Mitchell Chaffee County Clerk

Planning Area Entitlements Chart

Planning Areas	Zoning	Gross Area	Dwelling Units and commercial lodging units ¹	Non-residential ² Development Square Footage
PROPOSED DEVELOPMENT	Corresponding Zone District	(Acres)	(up to and including)	(up to and including
VPA-1	Vandaveer Neighborhood	63.4	400	25,000
VPA-2	Transitional Residential	15.6	130	30,000
VPA-3	Mixed Use Village	44.1	180 (includes commercial lodging units)	300,000
VPA-4	Mixed Use Village	21.7	125 (includes commercial lodging units)	100,000
VPA-5	R-3, RMU and C-1 per Article 10. Confluent Park ³	15	289 ³	125,000 ³
VPA-7	Open Space / Parks	18.0	0	2,500
VPA-8	Open Space / Parks	11.7	0	2,000
VPA-9	Open Space / Parks	2.1	0	500
Total		191.6	1,124	585,000

¹This represents the total number of units but does not specify if they are single family, attached, or stacked units.

² Non-residential square footage includes employment centers, retail, commercial, educational centers, active and passive recreational uses requiring built facilities, commercial lodging, services, arts and cultural facilities, research and development

³ See Article Ten, Confluent Park Standards

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Section Two

That the Vandaveer Ranch Planned Development District Overall Development Plan, Article 5, Section 5.06, Table of Dimensional Standards shall be as follows:

Dimensional Standard	Vandaveer Neighborhood	Transitional Residential	Mixed Use Village	Confluent Park
Minimum Lot Area	3,000 sq ft per unit for residential; 5,000 sq ft for non-residential	2,500 sq ft	None	
Minimum Lot Width	30'	25'	40'	
Minimum Setback	18' on one side, 5' on all other sides	None ¹	None ¹	
Maximum Impervious Coverage	60%	80%	80%	See Article Ten.
Maximum Height- single family	35′	35′	35'	Confluent Park Standards
Maximum Height- multi-family, non- residential and mixed use	40', no more than 3 stories	40', no more than 3 stories	40', no more than 3 stories	
Maximum Height- accessory buildings	25'	25′	25′	

¹ No minimum setbacks from lot lines so long as building code requirements regarding minimum separation between structures are met and required parking is provided off-street

Section Three

Exhibit B Zone Districts Map of the Vandaveer Ranch Development District Overall Development Plan shall be amended as shown in Exhibit A attached hereto.

Section Four

Article Ten: Pinto Barn Parcel Standards of the Vandaveer Ranch Development District Overall Development Plan shall be replaced with new Article Ten: Confluent Park Standards attached hereto as Exhibit B and as amended below.

Section Five

The Confluent Park Planned Development Amendment shall be subject to the following conditions:

- 1. Revise Exhibit B of the Development Plan as shown below:
 - a. Reimbursements described in Section 3.16 are subject to being revised and defined in subsequent subdivision improvement agreement and in conformance with the Salida Municipal Code.
 - b. Architectural Standard 3.15.7 shall include additional language that screening of mechanical equipment must appear as integral to the design and architecture of the building.

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Lori A Mitchell Chaffee County Clerk

- c. Engineering standards proposed for Utilities, Storm Water, Illumination and Flood Control in Sections 3.7, 3.8, 3.10 and 3.12 shall be defined by subsequent subdivision improvement agreement and be consistent with adopted standards and Salida Municipal Code.
- d. Encroachments into the front yard described in Section 3.13 cannot encroach into required public utility easements.
- 2. Lot 1 shall be legally restricted for up to 60 affordable rental apartments for households at 60% or less of the Area Median Income (AMI) for Chaffee County as defined by the Colorado Housing Finance Authority (CHFA). Per Section 16-13-30(d), each unit at 60% AMI counts as two units in meeting the project's affordable housing requirement.
- 3. Upon issuance of a building permit for Lot 1 in conformance with the above requirements, credit for affordable units greater than 37 (289 units X 12.5%) may be used to meet the affordable housing requirements for residential development within the Angel View Minor Subdivision recorded at Reception No. 428085. If this equals 100% or greater of the required affordable housing for the build-out of Angel View, the project will be afforded additional density only for R-3 as defined by Section 16-13-50. These provisions shall be approved as part of a development agreement for the Angel View site. If residential building permits are issued within Angel View or Confluent Park prior to issuance of building permits within Lot 1, then developer shall submit the inclusionary housing in-lieu fee for said units, to be held in escrow until construction begins on Lot 1.
- 4. Dedicate to the City Lot 39 for a public park to be constructed, owned and maintained by the City of Salida.
- 5. Open space in lieu fees shall be collected for residential development within development area CPR only.
- 6. Public trail easements shall be provided and the developer shall construct eight foot (8') concrete sidewalks within the easements as called for at the following locations and widths:
 - a. Provide ten foot (10') easement only between the 6906 LLC project through Lot 1 to the Park site as shown;
 - b. Ten foot (10') easement on the east side of Lot 38 to connect the park with Chase Street and construct sidewalk;
 - c. Ten foot (10') easement between Lots 6 and 7 as shown and construct sidewalk;
 - d. Ten foot (10') easement along entire frontage of Highway 50 and construct sidewalk; and
 - e. Twenty foot (20') easement on north side of Lot 12 and construct sidewalk.
- 7. The City of Salida will accept maintenance of the Highway 50 trail after its construction per condition 6.d above.
- 8. Provide redundancy in the water supply system and a second point of connection by extending the water main up Scott Street and along Illinois Street to a point of connection in Oak Street. This will include the installation of a pressure reducing vault built in accordance with City standards. These improvements are to be installed and accepted prior to issuing any Certificate of Occupancy or within three years of approval of minor subdivision, whichever occurs first.

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Lori A Mitchell Chaffee County Clerk

- 9. The construction of Cleora Road and Confluent Drive shall be the first phase of road construction and shall be complete and accepted prior to issuing any Certificates of Occupancy within the project.
- 10. Developer shall construct one-half of the street improvements (curb, gutter, sidewalk and paving) for Trenton Street.
- 11. The Fair Contribution for Public School Sites in-lieu fee shall be provided in accordance with Section 16-6-140 of the Salida Municipal Code in an amount in effect at the time of issuance of a building permit (currently \$444.66).
 - 12. The maximum number of units within each development parcel shall be:

CPR	68
CPMF	103
Lot 1 LIHTC	60
CPC	58
	289

- 13. Up to eight (8) short term rental licenses will be permitted in the development subject to the conditions that they are not allowed in apartment buildings; and no two licenses will be issued next door or directly across the street from each other. All requirements of Chapter 6, Article VI. Short Term Business License shall apply.
- 14. The Development Plan shall consist exclusively of the Narrative and Planned Development Site Plan, as modified herein and subject to the approved conditions. Chapter 16. Land Use and Development of the Salida Municipal Code shall apply unless specifically amended by the Confluent Park Development Plan.

Section Six

This Ordinance shall not have any effect on existing litigation and shall not operate as an abatement of any action or proceeding now pending under or by virtue of any ordinance repealed or amended as herein provided, and the same shall be construed and concluded under such prior ordinances.

Section Seven

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

INTRODUCED ON FIRST READING, on January 7, 2020, ADOPTED and ORDERED PUBLISHED IN FULL, other than Exhibits A and B described herein which shall be on record with the City Clerk's office, in a newspaper of general circulation in the City of Salida by the City Council on the 10th day of January, 2020 and set for second reading and public hearing on the 21st day of January, 2020.

INTRODUCED ON SECOND READING, FINALLY ADOPTED and ORDERED PUBLISHED IN FULL, other than Exhibits A and B described herein which shall be on record with the City Clerk's office, by the City Council on the 21st day of January, 2020.

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Item 8.

CITY OF SALIDA, COLORADO

P.T. Wood, Mayor

[SEAL]

ATTEST:

City Clerk/Deputy Clerk

PUBLISHED IN FULL in the Mountain Mail after First Reading on the 10th day of January, 2020, and IN FULL, after final adoption on the 24th day of January, 2020.

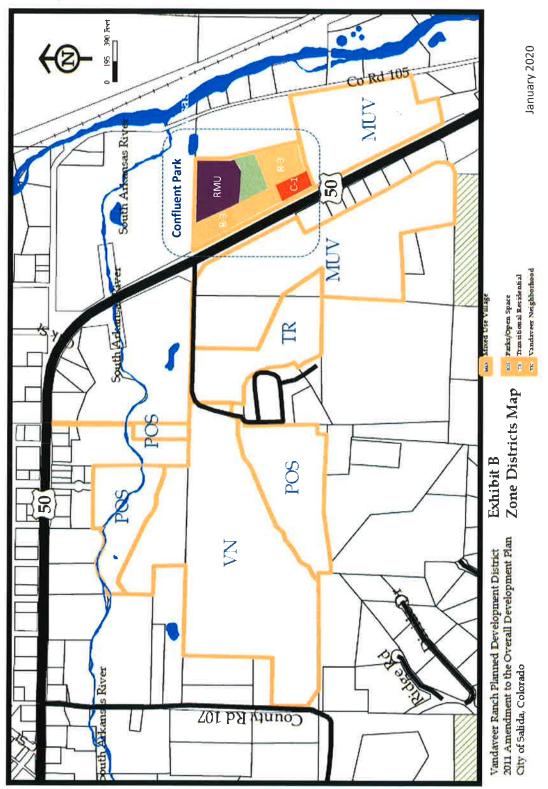
City Clerk/Deputy City Clerk

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Lori A Mitchell Item 8.
Chaffee County Clerk

Exhibit A of Ordinance 2020-01





Planned Development Amendment Narrative

APPENDIX D

Snyder/Salida Boundary Line Adjustment Plat





In partnership with:











Lori A Mitchell Chaffee County Clerk

Item 8.

CITY OF SALIDA, COLORADO ORDINANCE NO. 19 (Series of 2021)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO, APPROVING THE TRANSFER AND CONVEYANCE OF REAL PROPERTY FROM THE CITY OF SALIDA, APPROVING THE TRANSFER AND CONVEYANCE OF REAL PROPERTY TO THE CITY OF SALIDA, AND AUTHORIZING THE EXECUTION OF CERTAIN AGREEMENTS FOR SAID CONVEYANCES

WHEREAS, the City of Salida, Colorado ("City") is a statutory city, duly organized and existing under the laws of the State of Colorado; and

WHEREAS, pursuant to Colorado Revised Statutes § 31-15-713, the City, acting by and through its City Council ("Council"), possesses the authority to sell and dispose of real estate owned by the City by ordinance, where the real property was not used or held for park purposes or any governmental purpose; and

WHEREAS, the City owns approximately .90 acres of certain real property (the "City Property"), more particularly described in Exhibit A, attached hereto and incorporated herein by this reference; and

WHEREAS, Snyder Revocable Trust (represented by Barry and Jodie Snyder) owns approximately .90 acres of certain real property (the "Snyder Property"), more particularly described in Exhibit B, attached hereto and incorporated herein by this reference; and

WHEREAS, the City has determined that it would further the goals and objectives of the City, its residents, customers and taxpayers to take ownership of the Snyder Property in exchange for the City Property in order to facilitate potential future trail connections and certain development within the City-owned portion of the Vandaveer Planned Development; and

WHEREAS, in furtherance of these goals, the City and the Snyders are also entering into agreements to restrict development on the City Property in perpetuity, to provide boundary fencing, and to remove the requirement of a trail easement across the remainder of the Snyder Property; and

WHEREAS, the City Council finds and determines that the City Property has not been a public park, and is not, or has not been, used or held for any governmental purpose; and

WHEREAS, the City Council therefore desires to approve the transfer and conveyance of the City Property conditioned upon execution of certain agreements related to the restriction of development of the City Property; and

WHEREAS, the City Council likewise authorizes the acceptance of the Snyder Property in exchange for the conveyance of the City Property and authorizes the execution of all necessary documents associated with the exchange, transfer and conveyance of the Properties.

Lori A Mitchell Chaffee County Clerk

Item 8.

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

<u>Section 1</u>. The City Council incorporates the foregoing recitals as conclusions, facts, determinations and findings by the City Council.

- §31-15-713, the City Council hereby approves the conveyance and transfer of the real property described on **Exhibit A**, from the City to the Snyder Revocable Trust, and authorizes and directs the Mayor to execute a quit claim deed and such other instruments as necessary to effect such conveyance, in forms approved by the City Attorney.
- Section 3. Acceptance of Real Property. The City Council hereby authorizes the City's acceptance of the real property described on Exhibit B, in exchange for the conveyance of the real property described on Exhibit A, and authorizes the Mayor to executed any instruments as necessary to effect such conveyance, in form(s) approved by the City Attorney.
- Section 4. Additional Agreements Approved. In connection with the transfer and conveyance of the City Property approved by Section 2 above, the City Council hereby authorizes and directs the Mayor to execute additional agreements which prohibit development on the real property described on Exhibit A, outside of natural or ecological restoration purposes; which establish requirements for the construction of a new boundary fence; and which remove the requirement of a trail easement across the remainder of the Snyder Property, and any associated documents, in form(s) approved by the City Attorney.
- <u>Section 5.</u> <u>Conditions of Approval of Conveyance of Property.</u> The transfer and conveyance of the City Property and execution of documents approved by Section 2 above is expressly contingent upon the satisfaction of the following condition precedent: the execution of agreements referenced and approved by Section 4, and any associated documents, in form(s) approved by the City Attorney.
- <u>Section 6.</u> <u>Severability</u>. The provisions of this ordinance are severable and the invalidity of any section, phrase, clause or portion of the ordinance as determined by a court of competent jurisdiction shall not affect the validity or effectiveness of the remainder of the ordinance.

INTRODUCED ON FIRST READING, on December 7, 2021 ADOPTED and ORDERED PUBLISHED IN FULL in a newspaper of general circulation by the City Council on this 10 day of December, 2021 and set for second reading and public hearing on the 21st day of December, 2021.

INTRODUCED ON SECOND READING FINALLY ADOPTED and ORDERED PUBLISHED IN FULL BY TITLE ONLY by the City Council on this 21st day of December, 2021.

Item 8.



City of Salida

Mayor Dan Shore

City Clerk/Deputy City Clerk

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Lori A Mitchell Chaffee County Clerk 477643

1/27/2022 12:26 PM ORD R\$43.00 D\$0.00 Lori A Mitchell Chaffee County Clerk Item 8.

EXHIBIT B

Legal description of the "Snyder Property" being conveyed from the Snyder Revocable Trust to the City

ALL THAT PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 49 NORTH, RANGE 9 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, IN THE CITY OF SALIDA, CHAFFEE COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID SECTION 5, MARKED BY A #5 REBAR, FROM WHENCE THE SOUTHEAST CORNER OF SAID SECTION 5, MARKED BY A B.L.M. BRASS CAP, BEARS SOUTH 89°03'23" EAST, A DISTANCE OF 406.55 FEET;

THENCE NORTH 00°11'23" EAST, A DISTANCE OF 244.27 FEET;

THENCE SOUTH 38°49'33" EAST, A DISTANCE OF 184.20 FEET;

THENCE NORTH 63°34'25" EAST, A DISTANCE OF 155.66 FEET;

THENCE SOUTH 00°08'43" WEST, A DISTANCE OF 174.24 FEET TO SAID SOUTH LINE OF SECTION 5;

THENCE NORTH 89°03'23" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 255.28 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.90 ACRES, MORE OR LESS.

EXHIBIT A

Legal description of the "City Property" being conveyed from the City to the Snyder Revocable Trust

ALL THAT PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 49 NORTH, RANGE 9 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, IN THE CITY OF SALIDA, CHAFFEE COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT NO. 13, RIVER BEND ADDITION TO THE CITY OF SALIDA, ACCORDING TO THE REPLAT FILED AT RECEPTION NO. 267623 IN THE OFFICE OF THE CHAFFEE COUNTY CLERK & RECORDER, FROM WHENCE THE SOUTHEAST CORNER OF SAID SECTION 5, MARKED BY A B.L.M. BRASS CAP, BEARS SOUTH 24°03'20" EAST, A DISTANCE OF 989.94 FEET;

THENCE SOUTH 00°11'23" WEST ALONG THE EAST LINE OF SAID LOT NO.13, A DISTANCE OF 508.75 FEET TO THE CENTER OF THE SOUTH ARKANSAS RIVER;

THENCE WESTERLY ALONG SAID CENTERLINE, A DISTANCE OF 79 FEET, MORE OR LESS;

THENCE NORTH 00°11'23" EAST, A DISTANCE OF 510.52 FEET TO THE NORTH BOUNDARY OF SAID LOT NO. 13;

THENCE SOUTH 88°56'30" EAST, A DISTANCE OF 76.21 FEET TO THE POINT OF BEGINNING;

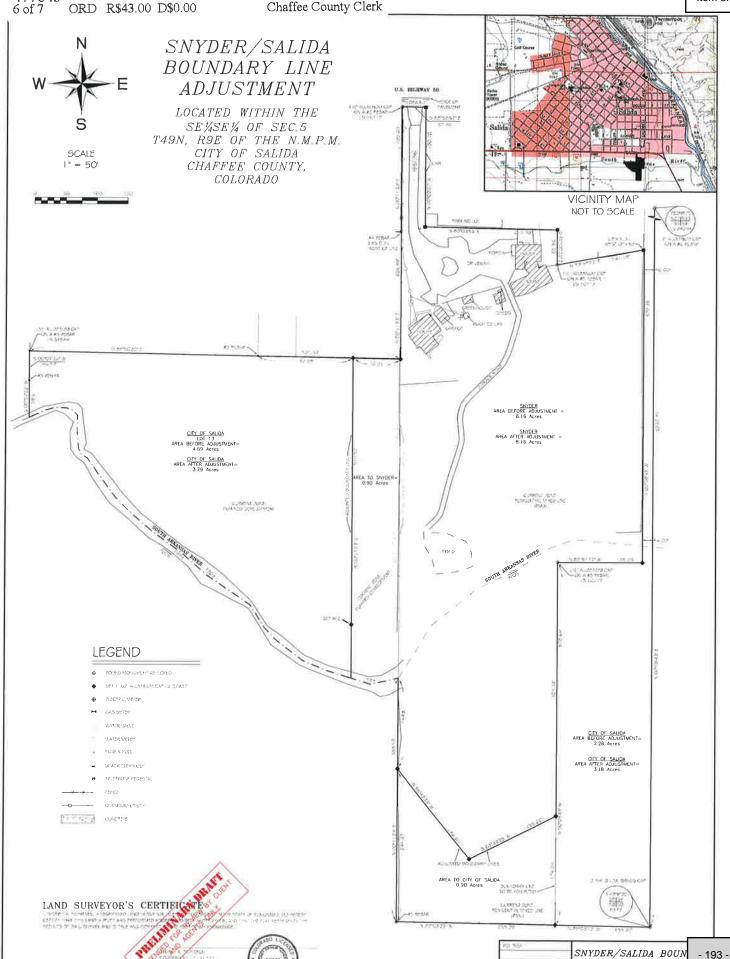
CONTAINING 0.90 ACRES, MORE OR LESS.

Item 8.

1/27/2022 12:26 PM

Lori A Mitchell Chaffee County Clerk

Item 8.



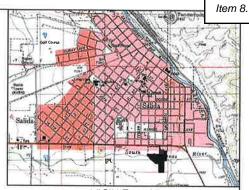
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Lori A Mitchell Chaffee County Clerk

SNYDER/SALIDA BOUNDARY LINE ADJUSTMENT

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CITY OF SALIDA CHAFFEE COUNTY, COLORADO



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SNYDER/SALIDA BOUNDARY LINE ADJUSTMENT

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- 194 -

South Arkansas River Sanctuary - South Ark Neighborhood Project

Michael Blazewicz <michael@roundriverdesign.com>

Sun 9/17/2023 12:55 PM

To:publiccomment@cityofsalida.com < publiccomment@cityofsalida.com >

Cc:dan.shore@salidaelected.com <dan.shore@salidaelected.com>;Bill Almquist

<bill.almquist@cityofsalida.com>;greg.follet@salidaelected.com <greg.follet@salidaelected.com>

You don't often get email from michael@roundriverdesign.com. Learn why this is important

Dear Salida Planning Commission and other Elected Officials:

I am writing concerning the absence of a **South Arkansas River Sanctuary** on the latest "final draft" for the South Ark Neighborhood project. I was unable to make the 8/30 public meeting where final draft alternatives were presented but I noticed after reviewing them that the plan set did not specifically call out a river sanctuary, wetlands protection areas, or other critical natural resources and instead focused entirely on the built environment – a significant misstep by the consulting team in my opinion. We need to make sure the river's geomorphic CORRIDOR (not just the poorly mapped 100-year floodplain or development consultant's approximated compromise) is protected from development and that this *critical natural park* is protected for future generations. Without the river corridor sanctuary and existing wetlands areas specifically defined I am left to assume that the proposed recreation fields are built on fill encroaching into the South Arkansas River geomorphic floodplain and river corridor, something I had assumed we had all worked hard to prevent.

We need a **RIVER SANCTUARY** for future generations to be able to observe and witness **natural** river processes and ecosystems **in our community** – something that has otherwise been **entirely extinguished** in the very short time period of Salida's existence. Please do not let this opportunity slip away under your watch, if we do this I promise it will become one of our proudest accomplishments as a community - a rare place where all ages can gather to observe and interact with nature.

With humility, Michael Blazewicz Round River Design Salida, Colorado

(Letter to the Editor submitted in May, 2023)

We Want a River Sanctuary

Dear Salida,

As the Vandaveer Ranch property goes into its master planning phase I am strongly urging this community to advocate for the creation of a River Sanctuary to provide a unique park near the heart of our community. This is a once-in-a-multi-generation opportunity to protect a now rare landscape from development.

While specifics of the design of the park will be determined later, the main idea of this proposal is to protect a wide corridor from development so that the riverscape can be restored as a sanctuary for wildlife, a living filter for our water, and as an outdoor classroom for our community. Naturally shifting channels, wetlands, beaver ponds, large wood, riparian forests, and seasonal flooding are among the elements we could embrace here as these are what the river once had, and what the river still wants.

I believe we should protect and restore a healthy riverscape for those of us here today, those of us who will come tomorrow, and in reverence to those that were here before us. I challenge Salida to advocate for this vision (and to consider that we have other less ecologically significant areas across our valley to locate recreational infrastructure). Let's see what type of river-loving people we are and whether we have the "heart" our marketing teams claim we do. If you agree with the idea of a living river sanctuary, please show up and voice your support through the City's planning process.

In reverence to wild rivers and natural places, Michael Blazewicz Salida, Colorado









TO: City of Salida City Council and Staff

FROM: Chaffee County Community Foundation, Chaffee Housing Authority, Chaffee

Housing Trust, and Chaffee County EDC

DATE: September 13, 2023

RE: South Ark Neighborhood Site Plan # 2 Letter of Support

Dear City of Salida Council Members and Staff,

On behalf of the Chaffee County Community Foundation, Chaffee Housing Authority, Chaffee Housing Trust, and Chaffee County EDC, we want to express our gratitude for the changes that have been made to increase units within the South Ark Development and formally support Site Plan #2 as the Master Plan.

The primary differences between Site Plan #1 and #2 is the location of the multi-purpose center and the number of housing units. Site Plan #1 has the multi-use center integrated within the neighborhood and only 350 units; whereas, Site Plan #2 has the multi-use center located in conjunction with the recreation fields and 400 units.

We support Site Plan #2 because of the assets and amenities that it provides to the community - specifically, the increased number of units in Site Plan #2 better addresses the housing crisis in Chaffee County.

The South Ark Neighborhood will be a lasting project that supports our community as we transition toward a truly sustainable year-round economy. It is our sincere hope that the Salida City Council will take advantage of this rare development opportunity and vote to approve Site Plan #2.

Sincerely,

Ashley Kappel Executive Director CHA Read McCulloch Executive Director CHT Betsy Dittenber Executive Director CCCF Jake Rishavy Executive Director Chaffee County EDC

PUBLIC NOTICE ORDINANCE NO. 18

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(Service 2023)

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ALIDA, COLORADO — FRIDAY, NOVEMBER 10, 2023 — PAGE 27

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54-2	10	140	125	15	15%
58-8	5.4	190	355	5	55%
TOTAL	20.3	350	480	30	58%

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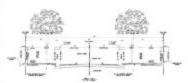
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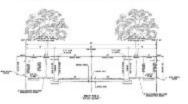
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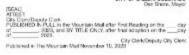


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make a splash in your business



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STATE OF THE PARTY.



DEPARTMENT	PRESENTED BY	DATE
Parks and Recreation	Diesel Post - Parks and Recreation Director	11/21/23

ITEM

Consent Agenda

Council Action – Approve entering into a contract with Conscious Creations for custodial services.

BACKGROUND

Due to a lack of staff availability, the department needs to enter into a contract with Conscious Creations for cleaning the Aquatics Center 4 nights a week.

FISCAL NOTE

The cleaning fee is \$672 per week with a possible annual cost of \$34,944. The contract can be terminated by either party with 30 day written notice.

STAFF RECOMMENDATION

To approve entering into a contract with Conscious Creations for weekly Aquatics Center cleaning.

SUGGESTED MOTION

A Councilperson should move to approve to "combine and approve the items on the consent agenda."



CITY OF SALIDA INDEPENDENT SERVICES AGREEMENT

THIS AGREEMENT FOR INDEPENDENT SERVICES ("Agreement") is made and entered into this 17th day of October, 2023 by and between the CITY OF SALIDA, COLORADO, a Colorado municipal corporation ("City"), and **Conscious Creation Handyman LLC**("Contractor"), whose address is [3745 E US Highway 50, Salida, CO 81201].

WHEREAS, the City desires that Contractor perform the Services of Salida Hot Springs Aquatics Center janitorial and custodial services as an independent contractor, in accordance with the provisions of this Agreement, and more fully described in **Section 1** of this Agreement; and

WHEREAS, Contractor is customarily engaged in an independent trade, occupation, profession, or business related to the services to be provided pursuant to this Agreement, and is ready, qualified, willing, and able to provide such services to the City; and

WHEREAS, Contractor desires to perform such duties pursuant to the terms and conditions provided for in this Agreement; and

WHEREAS, the parties hereto desire to set forth certain understandings regarding the services in writing.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, the parties agree as follows:

1. <u>Services</u>. The City agrees to retain Contractor to provide the services set forth herein, further specified as [Cleaning services in Exhibit A] ("Services"), and Contractor agrees to so serve. Contractor warrants and represents that it has the requisite authority, capacity, experience, and expertise to perform the Services in compliance with the provisions of this Agreement and all applicable laws and agrees to perform the Services on the terms and conditions set forth herein.

All equipment, tools, materials and supplies required for the performance of services under this Agreement shall be furnished by the Contractor, except that the City of Salida shall furnish the following: all toileties, chemicals, and kaivac machine

- 2. <u>Compensation</u>. The City agrees to compensate Contractor, in the following amount/rate/calculation [\$672.00/ week for 4 service days], The City shall make payment within fourteen (14) days of receipt and approval of invoices submitted by Contractor, which invoices shall be submitted to the City not more frequently than monthly and which shall identify the specific Services performed for which payment is requested.
- 3. <u>Term.</u> The Term of this Agreement shall be effective as of the date of its execution by both parties, as dated above until the Agreement is terminated pursuant to Section 8 of this Agreement; provided, however, that to the extent that the term of this Agreement exceeds one fiscal year, the obligations described herein shall be subject to annual appropriation by the City



Council, at its sole discretion.

- 4. <u>Outside Support Services and Sub-Contractor</u>. Any sub-contractors shall be preapproved by the City. A rate sheet for each sub-contractor shall be provided to the City.
- 5. <u>Independent Contractor</u>. The parties agree that the Contractor is an independent contractor and shall not be considered an employee, agent, or servant of the City for any purpose. Contractor is not entitled to workers' compensation benefits from the City and is obligated to pay federal and state income tax on any money earned pursuant to this Agreement. The parties further agree and understand that as an independent contractor, Contractor does not receive the protections of the Colorado Government Immunity Act, that the Contractor is responsible for their own liability insurance, and that the City's insurance coverage does not extend to independent contractors or to the Contractor.
- 6. <u>Insurance Requirements</u>. Contractor shall procure and keep in force during the duration of this Agreement a policy of comprehensive general liability insurance insuring Contractor and naming the City as an additional insured against any liability for personal injury, bodily injury, damages to property, or death arising out of the performance of the Services with at least One Million Dollars (\$1,000,000) each occurrence. The limits of said insurance shall not, however, limit the liability of Contractor hereunder.
- 7. <u>Indemnification</u>. Contractor hereby covenants and agrees to indemnify, save, and hold harmless the City, its officers, employees, and agents from any and all liability, loss, costs, charges, obligations, expenses, attorney's fees, litigation, judgments, damages, claims, and demands of any kind whatsoever arising from or out of any negligent act or error and omission or other tortious conduct of Contractor, its officers, subcontractors, employees, or agents in the performance or nonperformance of its obligations under this Agreement.
- 8. <u>Termination</u>. The City or the Contractor may terminate this Agreement at any time by providing a minimum thirty (30) calendar days' written notice to the other party. If the parties have mutually determined that the work has become infeasible, the parties agree to terminate the Agreement in accordance with this Section. In the event this Agreement is terminated, the Contractor shall be compensated for all work performed to date based on estimated percentage of completion, including the percentage of any and all work items begun but not completed.
- 9. <u>Entire Agreement</u>. This Agreement, along with any addendums and attachments hereto, constitutes the entire agreement between the parties. The provisions of this Agreement may be amended at any time by the mutual consent of both parties. The parties shall not be bound by any other agreements, either written or oral, except as set forth in this Agreement.
- 10. Governing Law and Venue. This Agreement shall be governed by the laws of the State of Colorado, and venue for any action instituted pursuant to this Agreement shall be in the County of Chaffee, State of Colorado.



- 11. <u>Authority</u>. Each person signing this Agreement, and any addendums or attachments hereto, represents and warrants that said person is fully authorized to enter into and execute this Agreement and to bind the party it represents to the terms and conditions hereof.
- 12. <u>Governmental Immunity Act</u>. No term or condition of this Agreement shall be construed or interpreted as a waiver, express or implied, of any of the immunities, rights, benefits, protections, or other provisions of the Colorado Governmental Immunity Act, C.R.S. §§ 24-10-101, *et seq*.
- 13. <u>Assignability</u>. Contractor shall not assign this Agreement without the City's prior written consent.
- 14. <u>Binding Effect</u>. This Agreement shall be binding upon, and shall inure to the benefit of, the parties hereto and their respective heirs, personal representatives, successors, and assigns.
- 15. <u>Survival Clause</u>. The "Indemnification" provision set forth in this Agreement shall survive the completion of the Services and the satisfaction, expiration, or termination of this Agreement.
- 17. <u>Severability</u>. In the event a court of competent jurisdiction holds any provision of this Agreement invalid or unenforceable, such holding shall not invalidate or render unenforceable any other provision of this Agreement.
- 17. <u>Notices</u>. Any written notices required to be given under this Agreement shall be delivered as follows:

To the City: City Administrator

City of Salida

448 E. First Street, Suite 112

Salida, CO 81201 (719)-539-4555

To the Contractor: Conscious Creation Handyman LLC

3745 E US Hwy 50 Salida, CO 81201

cchandyman@protonmail.com

- 18. <u>Authority</u>. Each person signing this Agreement, and any addendums or attachments hereto, represents and warrants that said person is fully authorized to enter into and execute this Agreement and to bind the party it represents to the terms and conditions hereof.
- 19. <u>Attorneys' Fees</u>. Should this Agreement become the subject of litigation between the City and Contractor, the prevailing party shall be entitled to recovery of all actual costs in



connection therewith, including but not limited to attorneys' fees and expert witness fees. All rights concerning remedies and/or attorneys' fees shall survive any termination of this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first above written.

	CITY OF SALIDA, COLORADO
By:	Christy Doon, City Administrator
	CONTRACTOR:
By:	[Name]

Conscious Creation Handyman LLC

Item 9.

3745 E US Highway 50 Salida, CO 81201 US cchandyman@protonmail.com

Estimate

ADDRESS

David Daley City Of Salida 410 Rainbow Blvd Salida, Co 81201 ESTIMATE

1055

09/15/2023

DATE

DATE	ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
	Aquatic Center	This Bid is a weekly rate for cleaning services 4 days per week. **this rate reflects the aquatic center to supply all toileties, chemicals, and kaivac machine.	4	168.00	672.00
	Locker Rooms	Clean and sanitize all toilets, sinks, shower stalls, benches, and lockers, light switch cover, door knobs, bathroom stalls. clean and sanitize floor and tile walls using kaivac machine. Restock all toiletries as needed. Take out trash.	6		0.00
	Offices	Clean and sanitze all cleared surfaces, sweep, mop, vacuum, dust, clean and sanitize door knobs and light swith covers, take trash out. Clean all glass doors.	2		0.00
	Pool	clean pools with robotic pool cleaner.	2		0.00

TOTAL

Accepted By

Accepted Date

\$672.00



DEPARTMENT	PRESENTED BY	DATE
Planning	Kristi Jefferson - Senior Planner	November 21, 2023

ITEM

Resolution 2023-50 – Amending the previous approval of the Subdivision Improvement and Inclusionary Housing Agreement for the 505 Oak Street Planned Development Overlay and Major Subdivision.

BACKGROUND

The 505 Oak Street Planned Development and Major Subdivision was approved by City Council with the adoption of Ordinance 2022-21 on December 6, 2022. The 505 Oak Street PD and Major Subdivision is a 18 lot, 44-unit residential project on 2.09 acres.



On March 7, 2023, City Council approved Resolution 2023-12 to set forth the terms and conditions for the construction of the required public improvements and other improvements and requirements relating to the Property and the development.



DEPARTMENT	PRESENTED BY	DATE
Planning	Kristi Jefferson - Senior Planner	November 21, 2023

The City and Developer have agreed to include additional terms specifically regarding the design and construction of the shared access and utility easement, as well as the construction and maintenance of Dreamers Circle.

The particulars of these three main sections of the 505 Oak Street Planned Development and Subdivision Agreement are described below.

<u>Subdivision Improvement Agreement</u>: Section 16-2-60 of the Salida Municipal Code (SMC) requires a subdivision improvement agreement. Section 5 of the agreement sets the standard for the developer to put in place a financial guarantee for the public improvements which the City can utilize to complete the project in case of default by the developer. The amount of the financial guarantee must be 125% of the estimated cost; for the 505 Oak Street project the amount is \$396,896.00 therefore, the Performance Guarantee must be in an amount equal to \$496,120.00.

This portion of the agreement also describes the construction and approval process; and the warranty timeline between approvals and when the City takes ownership and maintenance of the public facilities. Section 6 defines the projected construction schedule.

<u>Shared Access and Utility Easement:</u> Section 7 was added to the Subdivision Improvement and Inclusionary Housing Agreement, as reflected within "Exhibit A," to further define the responsibilities of each property owner.

<u>Inclusionary Housing:</u> Article XIII of Chapter 16 of the SMC requires Planned Developments and Major Subdivisions to include 16.7% of the units as affordable. The code requires a final agreement between the City and the Developer for how the inclusionary housing requirements will be met.

Section 8 defines how inclusionary housing responsibilities will be met. The developer has chosen to provide two (2) for-sale units and six (6) rental units to meet the inclusionary housing requirement for the 505 Oak Street Planned Development and Major Subdivision.

STAFF RECOMMENDATIONS

Staff recommends the City Council approve the Subdivision Improvement and Inclusionary Housing Agreement for the 505 Oak Street Planned Development and Major Subdivision.



DEPARTMENT	PRESENTED BY	DATE
Planning	Kristi Jefferson - Senior Planner	November 21, 2023

SUGGESTED MOTION

A Council person should make the motion to "Approve Resolution 2023-50 to approve the proposed Subdivision Improvement and Inclusionary Housing Agreement for the 505 Oak Street Planned Development and Major Subdivision."

Attachments: Resolution 2023-50

Exhibit A - Subdivision Improvement and Inclusionary Housing Agreement for the 505

Oak Street Planned Development and Major Subdivision

505 Oak Street Major Subdivision Plat

CITY OF SALIDA, COLORADO RESOLUTION NO. 50 (Series 2023)

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO AMENDING ITS PREVIOUS APPROVAL OF THE SUBDIVISION IMPROVEMENT AND INCLUSIONARY HOUSING AGREEMENT FOR THE 505 OAK STREET PLANNED DEVELOPMENT AND MAJOR SUBDIVISION

WHEREAS, the property owners, Dreamers and Doers, LLC ("Developer") are owners of the proposed 505 Oak Street Planned Development and Major Subdivision; and

WHEREAS, on December 6, 2022, the City Council approved Ordinance 2022-21 for the 505 Oak Street Planned Development and Major Subdivision which consists of eighteen (18) lots on the 2.09 acres ("Property"); and

WHEREAS, on March 7, 2023, the City Council approved Resolution 2023-12 to set forth the terms and conditions for the construction of the required public improvements and other improvements and requirements relating to the Property and the development; and

WHEREAS, the City and Developer have agreed to memorialize additional terms specifically regarding the design and construction of the shared access and utility easement, as well as the construction and maintenance of, Dreamers Circle; and

WHEREAS, therefore Section 7 was added to the Subdivision Improvement and Inclusionary Housing Agreement, as reflected within "Exhibit A," attached hereto and incorporated herein, to further define the responsibilities of each property owner; and

WHEREAS, pursuant to Sections 16-2-60 of the Salida Municipal Code ("Land Use Code"), and the conditions set forth in Ordinance 2022-21, the City and the Developer wish to enter into the attached Subdivision Improvement Agreement to memorialize their understanding concerning the terms and conditions for the construction of the subdivision public improvements and other improvements; and

WHEREAS, pursuant to Section 16-13-20(g) of the Land Use Code, residential developments must also enter into an inclusionary housing development agreement with the City Council; and

WHEREAS, the City Council therefore now wishes to amend its previous approval and execute the attached Subdivision Improvement and Inclusionary Housing Agreement with Developer for the 505 Oak Street Planned Development and Major Subdivision; and

WHEREAS, upon such approval, city staff shall be permitted to correct nonsubstantive errors, typos and inconsistencies that may be found in the Agreement, as approved by the Mayor and City Attorney.

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

that:

The Amended Subdivision Improvement and Inclusionary Housing Agreement for the 505 Oak Street Planned Development and Major Subdivision, attached hereto and incorporated herein as "Exhibit A" is hereby approved.

RESOLVED, APPROVED AND ADOPTED on this 21st day of November, 2023.

	CITY OF SALIDA, COLORADO
	Mayor Dan Shore
(SEAL) ATTEST:	
City Clerk/Deputy City Clerk	

EXHIBIT A

SUBDIVISION IMPROVEMENT AND INCLUSIONARY HOUSING AGREEMENT (505 Oak Street PD and Major Subdivision)

	THIS SUBDIVISION IMPROVEMENT AND INCLUSIONARY HOUSING AGE	REEMENT
(the '	e "Agreement") is made and entered into thisday of, 2023, by a	nd between
	CITY OF SALIDA, COLORADO, a Colorado statutory city ("City"), and DREAM	
	ERS, LLC, a limited liability corporation ("Developer") (each a "Party" and together the	
	Section 1 - Recitals	
1.1	The Developer contends that it is the fee title owner of certain lands known as 505 Planned Development and Major Subdivision (the "Project"), and more particularly described to the content of the cont	
	attached Exhibit B , which is incorporated herein by this reference (the "Property"). The structural of the structural	
	· · · · · · · · · · · · · · · · · · ·	ne Property
	is located within the boundaries of the City.	

- 1.2 The Developer received Planned Development overlay approval and approval for an 18-lot major subdivision for the residential project on a 2.09 acre site zoned C-1 on December 6, 2022 when the City Council adopted Ordinance 2022-21 on second reading.
- 1.3 Section 16-2-60 of the Salida Municipal Code requires that the applicants enter into development and subdivision improvements agreements with the City. Pursuant to Section 16-13-20 (g) of the Land Use Code, residential developments must enter into an inclusionary housing development agreement with the City Council. Such agreements may be part of a development improvements or subdivision improvements agreement. The agreement shall address the total number of units; the number of affordable units provided; standards for parking, density and other development standards for projects meeting the requirements; design standards for the affordable units and any restrictive covenants necessary to carry out the purposes of the inclusionary housing requirements.
- 1.4 Pursuant to Section 16-2-60 of the Land Use Code, the City and the Developer wish to enter into this Agreement to set forth their understanding concerning requirements of the Project including fees; provision of affordable housing, and on-site public improvements to be constructed and installed on the Property in association with the Developer's activities under any building permit issued under the Permit Application, if approved ("Building Permit").

1.5	The development plan for the Planned Development was recorded on			at
	reception number	of the Chaffee County Recorder's Office.		

- 1.6 The City wishes to advance development within municipal boundaries in accordance with the City of Salida Comprehensive Plan adopted April 16, 2013, as it may be amended.
- 1.7 The City has determined that this Agreement is consistent with the City of Salida 2013 Comprehensive Plan and all applicable City Ordinances and regulations.

1.8 The City and the Developer acknowledge that the terms and conditions hereinafter set forth are reasonable, within the authority of each to perform, and consistent with the City of Salida Comprehensive Plan.

NOW, THEREFORE, for and in consideration of the mutual promises and covenants contained herein, the City and the Developer agree as follows:

Section 2 – Definitions

As used in this Agreement, the following terms have the following meanings:

- 2.1 "<u>Agreement</u>" means this Development Improvements; Subdivision Improvements; and Inclusionary Housing Agreement. The Recitals in Section 1 above are fully incorporated into this Agreement and made a part hereof by this reference.
- 2.2 "<u>Affordable Housing</u>" means units that are permanently deed restricted to be sold or rented. The prices for sale or rents charged for permanently affordable priced dwelling units shall not exceed a price that is affordable to a household earning the applicable percentage of Area Median Income (AMI) for Chaffee County as specified by Ordinance 2022-05.
- 2.3 "Building Permit" means any building permit issued under the Permit Application, if approved.
- 2.4 "City" means the City of Salida, a Colorado statutory City.
- 2.5 "<u>City Administrator</u>" means the City Administrator of the City of Salida, and the City Administrator's designee.
- 2.6 "City Code" means the City of Salida Municipal Code.
- 2.7 "City Council" means the City Council of the City of Salida, Colorado.
- 2.8 "<u>Dark Sky-Compliant</u>" means lighting in compliance with Section 16-8-100 of the Land Use Code and intended to protect the night sky from nuisance glare and stray light from poorly aimed, poorly placed, poorly maintained, or poorly shielded light sources.
- 2.9 "<u>Developer</u>" means Dreamers and Doers, LLC, and its successor(s)-in-interest with respect to the Property.
- 2.10 "Development" means all work on the Property required to transform the Property into the 505 Oak Street Planned Development and Major Subdivision approved by the City by means of Ordinance 2022-21. The term "Development" includes, without limitation, the demolition of existing structures; grading; construction of new structures; and construction of improvements, including without limitation streets, signage, landscaping, drainage improvements, sidewalks, utilities, and other improvements. When the context so dictates, the verb "Develop" may be used in place of the noun "Development."

- 2.11 "<u>Drainage Plan</u>" means the drainage system designed for the subdivision in accordance with Section 16-8-60 of the Land Use Code.
- 2.12 "<u>Easement Lands</u>" means all real property to be dedicated to the City hereunder in the form of easements.
- 2.13 "<u>Effective Date</u>" means the date on which City Council adopted a resolution approving the execution of this Agreement. On the Effective Date, this Agreement will become binding upon and enforceable by the City and the Developer.
- 2.14 "<u>Force Majeure</u>" means acts of God, fire, abnormal weather, explosion, riot, war, labor disputes, terrorism, or any other cause beyond the applicable Party's reasonable control. A lack of money or inability to obtain financing does not constitute Force Majeure.
- 2.15 "Land Use Code" means the City's Land Use and Development Code, Title 16 of the City Code.
- 2.16 "Native Vegetation" means "native plant" as defined in the Colorado Noxious Weed Act, C.R.S. § 35-5.5-103(15).
- 2.17 "Noxious Weed" takes the meaning given to that term in the Colorado Noxious Weed Act, C.R.S. § 35-5.5-103(16).
- 2.18 "Other Required Improvements Warranty Period" means a period of two years from the date that the City Engineer or the City Engineer's designee, in accordance with the terms and conditions of paragraph 5.9 below, approves the Required Improvements that are not Public Improvements, and certifies their compliance with approved specifications.
- 2.19 "<u>Performance Guarantee</u>" means cash, a letter of credit, a cash bond, a performance bond, or other security acceptable to the City Attorney to secure the Developer's construction and installation of the Required Improvements, in an amount equal to 125% of the estimated cost of said Required Improvements.
- 2.20 "<u>Permit Application</u>" means the Developer's full and complete application for a building permit for any residential units to be constructed on the Property. The Permit Application is on file in the office of the City Administrator and is fully incorporated herein and made a part hereof by this reference.
- 2.21 "Property" means the land that is known as the "505 Oak Street Planned Development and Major Subdivision" and described in attached **Exhibit B**.
- 2.22 "Public Improvements" means Required Improvements constructed and installed by the Developer and dedicated to the City in accordance with this Agreement, including without limitation water mains, water service lines, water laterals, fire hydrants, and other water distribution facilities; irrigation lines and facilities; wastewater collection mains, lines, laterals, and related improvements; drainage facilities in public rights-of-way; handicap ramp improvements; and required curbs, sidewalks, and street improvements.

- 2.23 "<u>Public Improvements Warranty Period</u>" means a period of one year from the date that the City Engineer or City Engineer's designee, in accordance with the terms and conditions of paragraph 5.9 below, approves the Public Improvements and certifies their compliance with approved specifications.
- 2.24 "<u>Reimbursable Costs and Fees</u>" means all fees and costs incurred by the City in connection with the City's processing and review of the Development Plan, Subdivision Plat, Permit Application and the Building Permit; and the City's drafting, review, and execution of this Agreement.
- 2.25 "<u>Required Improvements</u>" means the public and other improvements that the Developer is required to make to the Property in association with the Developer's activities under the Permit Application and the Building Permit, including without limitation improvements for roads, signage, landscaping, drainage improvements, sidewalks, and utilities.
- 2.26 "<u>Subdivision Plat</u>" means 505 Oak Street major subdivision of the Property approved by Ordinance No. 2022-21.
- 2.27 "<u>Water Facilities</u>" means the water main, service line, and all other appurtenances and necessary components of the water distribution system to be constructed by the Developer to extend City water service to the Property.

Any term that is defined in the Land Use Code or the City Code but not defined in this Agreement takes the meaning given to that term in the Land Use Code or the City Code.

<u>Section 3 – Purpose of Agreement and Binding Effect</u>

- 3.1 <u>505 Oak Street Planned Development and Major Subdivision</u>. The 505 Oak Street Planned Development and Major Subdivision is a residential project consisting of residential uses in conformance with specific requirements stated in Ordinance 2022-21. The Developer intends to develop the project including 10 residential units for sale and 34 rental units; of which two (2) of the for-sale units must deed restricted and sold as affordable housing and six (6) of the apartment rental units must be deed restricted and rented as affordable housing.
- 3.2 <u>Contractual Relationship</u>. The purpose of this Agreement is to establish a contractual relationship between the City and the Developer with respect to the improvements the Developer is required to make to the Property in association with the Developer's activities under the Permit Application and the Building Permit, and to establish terms and conditions for such improvements. The terms, conditions, and obligations described herein are contractual obligations of the Parties, and the Developer waives any objection to the enforcement of the terms of this Agreement as contractual obligations.
- 3.3 <u>Binding Agreement</u>. This Agreement benefits and is binding upon the City, the Developer, and the Developer's successor(s). The Developer's obligations under this Agreement constitute a covenant running with the Property.

3.4 <u>Reservation</u>. To the extent that the City becomes aware of new information about the Property, and notwithstanding anything to the contrary herein, the City reserves the right to require new terms, conditions, or obligations with respect to the Required Improvements for the Property.

Section 4 – Development of Property

- 4.1 The City agrees to the Development of the Property, and the Developer agrees that it will Develop the Property, only in accordance with the terms and conditions of this Agreement and all requirements of the City Code; Ordinance No. 2022-21; and all other applicable laws and regulations, including without limitation all City Ordinances and regulations, all State statutes and regulations, and all Federal laws and regulations.
- 4.2 The approval of the planned development overlay and major subdivision by the City Council on December 6, 2022 constitutes approval of the site specific development plan and establishment of vested property rights for the project per Section 16-2-20 of the Code. An established vested property right precludes any zoning or land use action by the City or pursuant to an initiated measure which would alter, impair, prevent, diminish, impose a moratorium on development, or otherwise delay the development or use of the property as set forth in the approved site specific development plan.
- 4.3 The Developer has represented and voluntarily agreed that Lots 11 through 18 are intended to exclusively include rental buildings, not any for-sale units. Developer has further represented and voluntarily agreed that Developer shall request approval, to the Planning Commission and/or City Council as applicable, to condominiumize any such buildings on Lots 11 through 18 in the future.

Section 5 – Terms and Conditions for Development of Property

- 5.1 Other Applicable Laws and Regulations. All terms and conditions imposed by this Agreement are in addition to and not in place of any and all requirements of the City Code as it may be amended, including without limitation the Land Use Code, and all other applicable laws and regulations, including all City Ordinances and regulations, all State statutes and regulations, and all Federal laws and regulations.
- 5.2 <u>Submittals to and Approvals by City Administrator</u>. Unless this Agreement specifically provides to the contrary, all submittals to the City in connection with this Agreement must be made to the City Administrator. In addition, unless this Agreement specifically provides to the contrary, the City Administrator and/or City Council must provide all approvals required of the City in connection with this Agreement.
- 5.3 <u>Required Improvements</u>. The Required Improvements must be designed, built, and installed in conformity with the City's Standard Specifications for Construction, as those Standard Specifications may be amended, and must be designed, approved, and stamped by a registered professional engineer retained by the Developer. Before the Developer's commencement of construction or installation of the Required Improvements, the City Engineer or City Engineer's

designee must review and approve the drawings and plans for such improvements. In addition to warranting the Required Improvements as described in paragraph 5.9 below, the Developer shall perform routine maintenance on the Public Improvements for the duration of the Public Improvements Warranty Period and on the other Required Improvements for the duration of the Other Required Improvements Warranty Period.

- 5.4 <u>Construction Standards</u>. The Developer shall ensure that all construction is performed in accordance with this Agreement and with the City's rules, regulations, requirements, criteria, and standards governing such construction, as they may be amended.
- 5.5 Observation of Development and Inspection of Required Improvements. The City may observe all Development on the Property, and may inspect and test each component of the Required Improvements. Consistent with Section 16-2-20(r) of the Land Use Code, the Developer shall reimburse the City for all costs associated with the City's observation of Development on the Property and inspection of the Required Improvements, and the City shall not give its written approval of the Required Improvements, as described in paragraph 5.7 below, until such costs have been reimbursed. Such observation and inspection may occur at any point before, during, or upon completion of construction.
- <u>City Engineer's Written Approval of Required Improvements</u>. At the Developer's request, the City Engineer or the City Engineer's designee shall inspect the Required Improvements to ascertain whether they have been completed in conformity with the approved plans and specifications. The City Engineer or the City Engineer's designee shall confirm in writing the date(s) on which (i) individual Required Improvements have been completed in conformity with the approved plans and specifications, and (ii) all Public Improvements have been completed in conformity with the approved plans and specifications. The Developer shall make all corrections necessary to bring the Required Improvements into conformity with the approved plans and specifications.
- 5.7 <u>Performance Guarantee</u>. Before commencement of any further construction on the Required Improvements, the Developer shall furnish the City with an effective Performance Guarantee in the amount of 125% of the total estimated cost of completing the Required Improvements, as shown on Exhibit C. The total estimated cost of completing the Required Improvements, including both labor and materials, is \$396,896.00. Therefore, the Performance Guarantee must be in an amount equal to \$496,120.00.
 - 5.7.1 The Performance Guarantee must provide for payment to the City upon demand, based upon the City's written certified statement that the Developer has failed to construct, install, maintain, or repair, as required by this Agreement, any of the Required Improvements.
 - 5.7.2 The Developer shall extend or replace the Performance Guarantee at least thirty days prior to its expiration. In the event that the Performance Guarantee expires, or the entity issuing the Performance Guarantee becomes non-qualifying, or the City reasonably determines that the cost of the Required Improvements is greater than the amount of the Performance Guarantee, then the City shall give written notice to the Developer of the deficiency, and

- within thirty days of receipt of such notice, the Developer shall provide the City an increased or substituted Performance Guarantee that meets the requirements of this paragraph 5.7 and the Land Use Code.
- 5.7.3 Upon completion of portions of the Required Improvements ("Completed Improvements"), the Developer may apply to the City for a release of part of the Performance Guarantee. Any such application must include submittal of as-built drawings and a detailed cost breakdown of the Completed Improvements. Upon the City Engineer's inspection and written approval of the Completed Improvements in accordance with paragraph 5.9 below, the City Council may authorize a release of the Performance Guarantee in the amount of 75% of the documented cost of the Completed Improvements.
- 5.7.4 Upon the City Engineer's inspection and written approval of all Required Improvements in accordance with paragraph 5.9 below, the City Council shall authorize a release of the Performance Guarantee in the amount of 90% of the total estimated cost of all Required Improvements, as shown on **Exhibit C**.
- 5.7.5 Upon the expiration of both the Public Improvements Warranty Period and the Other Required Improvements Warranty Period described in paragraph 5.8 below, the Developer's correction of all defects discovered during such periods, and the City's final acceptance of the Public Improvements in accordance with paragraph 5.9 below, the City Council shall authorize a full release of the Performance Guarantee.
- 5.7.6 Failure to provide or maintain the Performance Guarantee in compliance with this paragraph will constitute an event of default by the Developer under this Agreement. Such default will be subject to the remedies, terms, and conditions listed in Section 8 below, including without limitation the City's suspension of all activities, approvals, and permitting related to the Subdivision Plats or Development Plan.
- 5.8 <u>Conveyance of Public Improvements</u>. Within twenty-eight days of the City's final acceptance of the Public Improvements in accordance with paragraph 5.10 below, the Developer shall, at no cost to the City, do the following:
 - 5.8.1 Execute and deliver to the City a good and sufficient General Warranty Deed conveying to the City, free and clear of liens and encumbrances, all easements necessary for the operation and maintenance of the Public Improvements to the extent the Public Improvements are not constructed within dedicated easements or rights-of-way as shown on the 505 Oak Street Planned Development Plan recorded at Reception No._______.
 - 5.8.2 Deliver to the City all engineering designs, current surveys, current field surveys, and asbuilt drawings and operation manuals for the Public Improvements and for all improvements made for utilities, or make reasonable provision for the same to be delivered to the City. The legal description of all utility service lines must be prepared by a registered land surveyor at the Developer's sole expense.

- 5.9 Warranty. The Developer shall warrant the Public Improvements for one year from the date that the City Engineer, in accordance with paragraph 5.7 above, approves the Public Improvements and certifies their compliance with approved specifications ("Public Improvements Warranty Period"). The Developer shall warrant all other Required Improvements for a period of two years from the date that the Director of Public Works, in accordance with paragraph 5.6 above, approves the other Required Improvements and certifies their compliance with approved specifications ("Other Required Improvements Warranty Period"). In the event of any defect in workmanship or quality during the Public Improvements Warranty Period or the Other Required Improvements Warranty Period, the Developer shall correct the defect in workmanship or material. In the event that any corrective work is performed by the Developer during either Warranty Period, the warranty on said corrected work will be extended for one year from the date on which it is completed. Should the Developer default in its obligation to correct any defect in workmanship or material during either the Public Improvements Warranty Period or the Other Required Improvements Warranty Period, the City will be entitled to draw on the Performance Guarantee and/or to pursue any other remedy described in Section 8 below.
- 5.10 <u>Final Acceptance of Public Improvements</u>. Upon expiration of the Public Improvements Warranty Period, and provided that any breaches of warranty have been cured and any defects in workmanship and/or materials have been corrected, the City shall issue its final written acceptance of the Public Improvements. Thereafter, the City shall maintain such Public Improvements.
- 5.11 <u>Inspection Distinguished from Approval</u>. Inspection, acquiescence, and/or verbal approval by any City official of construction on the Property, at any particular time, will not constitute the City's approval of the Required Improvements as required hereunder. Such written approval will be given by the City only in accordance with paragraph 5.10 above.
- 5.12 <u>Revegetation</u>. Any area disturbed by construction must be promptly revegetated with Native Vegetation following completion of such work unless a building permit application has been requested for such area. In addition, the Developer shall control all Noxious Weeds within such area to the reasonable satisfaction of the City.
- 5.13 <u>Local Utilities</u>. In addition to the Required Improvements, the Developer shall install service lines for both on-site and off-site local utilities necessary to serve the Property, including without limitation service lines for telephone, electricity, natural gas, cable television, and street lights. The Developer shall install such service lines underground to the maximum extent feasible. If such lines are placed in a street or alley, they must be in place prior to surfacing.
- 5.14 <u>Landscape Improvements</u>. Other Required Improvements are landscape improvements consisting of right of way and parkway landscaping in accordance with the requirements of the approved landscape improvement plan for the Subdivision and the requirements of Section 16-8-90 of the Land Use Code. The Developer or homeowner's association shall be responsible for the Other Required Improvements Warranty Period.

- 5.15 <u>Drainage Improvements</u>. As shown on **Exhibit C**, certain of the Required Improvements are drainage improvements.
 - 5.15.1 In accordance with Section 16-8-60 of the Land Use Code, the Developer shall retain a registered professional engineer to prepare a drainage study of the Property and to design a drainage system according to generally accepted storm drainage practices.
 - 5.15.2 All site drainage, including drainage from roof drains, must be properly detained and diverted to the drainage system approved in the drainage plan before any certificate of occupancy will be issued for the Property.
 - 5.15.3 All drainage improvements within public rights-of-way will be dedicated to the City as Public Improvements. All drainage improvements on private property will be maintained by the Developer, subject to easements to allow the City access in the event that the Developer fails to adequately maintain the drainage facilities.
- 5.16 <u>Slope Stabilization</u>. Any slope stabilization work must be performed in strict compliance with applicable law, including City Ordinances and regulations, State statutes and regulations, and Federal law and regulations. The City will determine on a case-by-case basis whether additional requirements apply to slope stabilization work.
- 5.17 <u>Blasting and Excavation</u>. Any removal of rock or other materials from the Property by blasting, excavation, or other means must be performed in strict compliance with applicable law, including City Ordinances and regulations, State statutes and regulations, and Federal law and regulations. The City will determine on a case-by-case basis whether additional requirements apply to blasting and excavation work.
- 5.18 <u>Trash, Debris, and Erosion</u>. During construction, the Developer shall take all necessary steps to control trash, debris, and erosion (whether from wind or water) on the Property. The Developer also shall take all necessary steps to prevent the transfer of mud or debris from construction sites on the Property onto public rights-of-way. If the City reasonably determines and gives the Developer written notice that such trash, debris, or erosion causes or is likely to cause damage or injury, or creates a nuisance, the Developer shall correct any actual or potential damage or injury and/or abate such nuisance within five working days of receiving such written notice.

When, in the opinion of the City Administrator or Chief of Police, a nuisance constitutes an immediate and serious danger to the public health, safety, or welfare, or in the case of any nuisance in or upon any street or other public way or public ground in the City, the City has authority to summarily abate the nuisance without notice of any kind consistent with Section 7 - 1-60 of the City Code. Nothing in this paragraph limits or affects the remedies the City may pursue under Section 9 of this Agreement.

5.19 <u>Compliance with Environmental Laws</u>. During construction, the Developer shall comply with all Federal and State environmental protection and anti-pollution laws, rules, regulations, orders, or requirements, including solid waste requirements; and shall comply with all requirements pertaining to the disposal or existence of any hazardous substances, pollutants, or contaminants as

defined by the Comprehensive Environmental Response Compensation and Liability Act of 1980, as amended, and regulations promulgated thereunder.

- 5.20 <u>Fees</u>. The Developer shall pay to the City the fees described below at the time set forth below:
 - 5.20.1 <u>Developer's Reimbursement of Processing Fees</u>. The Developer shall reimburse the City for all fees and actual costs incurred by the City in connection with the City's processing and review of the Permit Application and the Building Permit; and the City's drafting, review, and execution of this Agreement ("<u>Reimbursable Costs and Fees</u>"). The Reimbursable Costs and Fees include but are not limited to the City's costs incurred for engineering, surveying, and legal services, including the services of outside City consultants and/or counsel; recording fees; printing and publication costs; and any and all other reasonable costs incurred by the City.
 - 5.20.2 Work by City staff other than City Attorney. Reimbursable Costs and Fees attributable to work completed by City staff, not including the City Attorney, will be determined based on the fee schedule attached to the City's then-effective Open Records Policy. The fee schedule attached to the Open Records Policy in effect as of the date of this Agreement is attached as **Exhibit E**.
 - 5.20.3 Work by City Attorney. Reimbursable Costs and Fees attributable to work completed by the City Attorney or by the City's outside consultants and/or counsel will be equal to the actual costs and fees billed to and paid by the City for that work.
 - 5.20.4 Amounts due and unpaid. Interest will be imposed at rate of 1.5% per month on all balances not paid to the City within 30 days of the effective date of the City's invoicing of the Developer for the Reimbursable Costs and Fees, with that effective date determined in accordance with the notice provisions of paragraph 12.6 below. In addition to any and all remedies available to the City and in the event the City is forced to pursue collection of any amounts due and unpaid under this provision or under this Agreement, the City shall be entitled to collect attorneys' fees and costs incurred in said collection efforts in addition to the amount due and unpaid.
 - 5.20.5 <u>Currently existing fees</u>. Payment of Currently Existing Fees as a Condition of Development. The Developer shall pay to the City any fees required to be paid under this Agreement or the currently existing City Code, regardless of whether the relevant provisions of the City Code are later amended, repealed, or declared to be invalid. Payment of such fees pursuant to this Agreement is agreed to by and between the Parties as a condition of the Development. The Developer further agrees not to contest any Ordinance imposing such fees as they pertain to the Property.
- 5.21 <u>Lighting</u>. All lighting on the Property must be Dark-Sky Compliant and must conform to Section 16-8-100 of the Land Use Code and all other applicable City Ordinances in effect at the time of permitting.

Section 6 – Construction Schedule

- 6.1 <u>Construction Schedule</u>. Attached **Exhibit D**, which is incorporated herein by this reference, provides the schedule according to which construction will occur, including construction and installation of all Required Improvements ("<u>Construction Schedule</u>"). The Developer shall complete construction of each phase described in **Exhibit C** in compliance with the timetable included in the Construction Schedule. If the Developer fails to commence or to complete any phase of construction and installation of the Required Improvements in compliance with the Construction Schedule, the City will take action in accordance with Section 16-2-60(e) of the Land Use Code.
- 6.2 <u>Site Restoration</u>. If the Developer fails to commence or complete construction in accordance with the Construction Schedule, the Developer nonetheless shall complete all site restoration work necessary to protect the health, safety, and welfare of the City's residents and the aesthetic integrity of the Property ("<u>Site Restoration Improvements</u>"). Site Restoration Improvements will include, at minimum, all excavation reclamation, slope stabilization, and landscaping improvements identified as Required Improvements on **Exhibit C**.
- 6.3 <u>Force Majeure</u>. If the Developer fails to commence or complete construction in accordance with the Construction Schedule due to Force Majeure, the City shall extend the time for completion by a reasonable period. In such an event, the City and the Developer shall amend the Construction Schedule in writing to memorialize such extension(s).

Section 7 – Access and Easement Agreements

- 7.1 Access and Easement Agreements.
 - 7.1.1 The City agrees to fund the design and construction of the shared southern access driveway apron off Oak Street within the CDOT right-of-way. The foregoing is dependent on CDOT granting permission to the City to obtain the Notice to Proceed from CDOT and to construct the access previously submitted by Developer and approved by CDOT. The City also agrees to pave the parking spaces on the adjacent City owned property fronting this access and installing the curb and gutter immediately adjacent to said City parking spaces.
 - 7.1.2 The Developer agrees to fund, construct and maintain the improvements along the entire shared access easement, including the remaining curb and gutter, asphalt paving, and all proposed improvements.
 - 7.1.3 City agrees to grant a 12.5' wide public access easement and a 315' long utility easement adjacent to the 611 Oak Street north property line. The granting of this easement is conditioned upon Developer agreement to maintain the entire easement in perpetuity, which includes but is not limited to: asphalt maintenance, snow plowing, and similar typical maintenance responsibilities.

Section 8 - Inclusionary Housing

8.1 Agreement to Provide Affordable Housing Consistent with Article XIII of the Land Use Code.

Developer hereby agrees to construct and deed restrict two (2) for-sale dwelling units and six (6) rental units. The prices for sale or rents charged for permanently affordable priced dwelling units shall not exceed a price that is affordable to a household earning the applicable percentage of Area Median Income (AMI) for Chaffee County as specified within Chapter 16, Article XIII of the Salida Municipal Code. Development of the affordable housing units shall be according to the additional standards specified below:

- 8.1.1. The two (2) for-sale affordable units shall be built and receive certificate of occupancy (CO) prior to the eighth (8th) unit on the site receiving certificate of occupancy. The six (6) inclusionary housing rental units on Lot 18 shall be built and receive certificate of occupancy prior to certificate of occupancy of the fourth (4th) apartment building.
- 8.1.2. The affordable units shall be comparable to the market rate housing units in exterior finish and design by meeting the architectural standards for the subdivision and any required architectural design approval required by the subdivision's design guidelines.
- 8.1.3 Developer agrees to record a deed restriction, in a form provided and approved by the City Attorney, on the affordable units that meet the requirements of Chapter 16, Article XIII, including but not limited to Sections 16-13-20(a)(1), (2) (4) and (c) through (f) defining income eligibility; permanency of restriction; comparable design of units; and good faith marketing requirements as agreed to by Parties, among other pertinent and applicable City requirements.
- 8.1.4 The Chaffee Housing Authority ("CHA") shall approve the system to be employed to determine eligibility and priority of buyers/tenants, as also provided for in the applicable deed restriction. In the case that the CHA is unable to review and approve such a system, such responsibility shall fall to the City or the City's designee. Developer shall make annual reports to the CHA or City regarding any changes to the pricing of the affordable units that occurs with changes to the Colorado Housing and Finance Authority County Income and Rent Tables for Chaffee County, and shall follow all requirements of the recorded deed restriction.
- 8.1.5 Deed-restricted affordable units within any applicable condominium or homeowners' association shall not be assessed any monthly dues or other shared assessments exceeding those specifically permitted in the CHA Community Housing Guidelines, or any dues or assessments beyond necessities such as utilities, trash services, and the like, in order to ensure that the deed-restricted units remain affordable. Should the Developer or Association desire, they may renegotiate the condition with the Chaffee Housing Authority based upon the Authority's guidelines for such dues.

Section 9 – Default by Developer and City's Remedies

- 9.1 <u>City's Remedies on Developer's Default</u>. In the event of the Developer's default with respect to any term or condition of this Agreement, the City may take any action necessary or appropriate to enforce its rights, including without limitation any or all of the following:
 - 9.1.1 The refusal to issue any further building permits or a certificate of occupancy to the Developer.

- 9.1.2 The revocation of any building permit previously issued and under which construction directly related to such building permit has not commenced; provided, however, that this remedy will not apply to a third party.
- 9.1.3 Suspension of all further activities, approvals, and permitting related to the Permit Application and the Building Permit.
- 9.1.4 A demand that the Performance Guarantee be paid or honored.
- 9.1.5 Any other remedy available in equity or at law.
- 9.2 <u>Notice of Default</u>. Pursuant to Section 16-2-60(o) of the Land Use Code, before taking remedial action hereunder, the City shall give written notice to the Developer of the nature of the default and an opportunity to be heard before the City Council concerning such default. If the default has not been cured within thirty days of receipt of the notice or the date of any hearing before the City Council, whichever is later, the City will consider whether the Developer has undertaken reasonable steps to timely complete the cure if additional time is required.
- 9.3 <u>Immediate Damages on Developer's Default</u>. The Developer recognizes that the City may suffer immediate damages from a default. In the event of such immediate damages resulting from the Developer's default with respect to any term or condition of this Agreement, the City may seek an injunction to enforce its rights hereunder.
- 9.4 <u>Jurisdiction and Venue</u>. The District Court of the County of Chaffee, State of Colorado, will have exclusive jurisdiction to resolve any dispute over this Agreement.
- 9.5 <u>Waiver</u>. Any waiver by the City of one or more terms of this Agreement will not constitute, and is not to be construed as constituting, a waiver of other terms. A waiver of any provision of this Agreement in any one instance will constitute, and is not to be construed as constituting, a waiver of such provision in other instances.
- 9.6 <u>Cumulative Remedies</u>. Each remedy provided for in this Agreement is cumulative and is in addition to every other remedy provided for in this Agreement or otherwise existing at law or in equity.

Section 10 – Indemnification and Release

10.1 Release of Liability. The Developer acknowledges that the City cannot be legally bound by the representations of any of its officers or agents or their designees except in accordance with the City Code, City Ordinances, and the laws of the State of Colorado. The Developer further acknowledges that it acts at its own risk with respect to relying or acting upon any representation or undertaking by the City or its officers or agents or their designees. Accordingly, the Developer expressly waives and releases any current or future claims related to or arising from any such representation or undertaking by the City or its officers or agents or their designees.

10.2.1 <u>Indemnification</u>.

10.2.2 The Developer shall indemnify and hold harmless the City, and the City's officers, agents,

employees, and their designees, from and against any and all claims, damages, losses, and expenses, including but not limited to attorneys' fees and costs, arising from or in connection with the following: (a) the City's approval of the Planned Development or the Subdivision Plats or the City's issuance of the Building Permit if the Permit Application is approved; (b) acts or omissions by the Developer, its officers, employees, agents, consultants, contractors, or subcontractors in connection with the Planned Development or the Subdivision Plats or Permit Application, if it is approved, and the Building Permit, if it is issued; (c) the City's required disposal of hazardous substances, pollutants, or contaminants; required cleanup necessitated by leaking underground storage tanks, excavation, and/or backfill of hazardous substances, pollutants, or contaminants; or environmental cleanup responsibilities of any nature whatsoever on, of, or related to the Easement Lands; provided that such disposal or cleanup obligations do not arise from any hazardous substance, pollutant, or contaminant generated or deposited by the City upon the Easement Lands; or (d) any other item contained in this Agreement.

- 10.2.3 The Developer shall reimburse the City for all fees, expenses, and costs, including attorneys' fees and costs, incurred in any action brought against the City as a result of the City's approval of the Planned Development or Subdivision Plat, or issuance of the Building Permit if the Permit Application is approved; and shall reimburse the City for all fees, expenses, and costs, including attorneys' fees and costs, associated with any referendum election, review of petition for referendum, protest, or any other proceedings to challenge the City's approval of the Planned Development or Subdivision Plats, or issuance of the Building Permit if the Permit Application is approved. Nothing in this Agreement obligates or compels the City to proceed with any action or referendum position.
- 10.2.4 Fees, expenses, and costs attributable to work completed by City staff, not including the City Attorney, will be determined based on the fee schedule attached to the City's theneffective Open Records Policy. The fee schedule attached to the Open Records Policy in effect as of the date of this Agreement is attached as **Exhibit E**.
- 10.2.5 Fees, expenses, and costs attributable to work completed by the City Attorney or by the City's outside consultants and/or counsel will be equal to the actual costs and fees billed to and paid by the City for that work.

Section 11 – Representations and Warranties

- 11.1 <u>Developer's Representations and Warranties</u>. The Developer hereby represents and warrants to the City that the following are true and correct as of the date of the Developer's execution of this Agreement and will be true and correct as of the Effective Date:
 - 11.1.1. <u>Authority</u>. This Agreement has been duly authorized and executed by the Developer as a legal, valid, and binding obligation of the Developer, and is enforceable as to the Developer in accordance with its terms.
 - 11.1.2 <u>Authorized signatory</u>. The person executing this Agreement on behalf of the Developer is duly authorized and empowered to execute and deliver this Agreement on behalf of the Developer.
 - 11.1.3 No litigation or adverse condition, To the best of the Developer's knowledge, there is no

pending or threatened litigation, administrative proceeding, or other claim pending or threatened against the Developer that, if decided or determined adversely, would have a material adverse effect on the ability of the Developer to meet its obligations under this Agreement; nor is there any fact or condition of the Property known to the Developer that may have a material adverse effect on the Developer's ability to complete construction on the Property as contemplated under the Permit Application.

- 11.1.4 Compliance with environmental laws and regulations. To the best of the Developer's knowledge, all Easement Lands to be dedicated to the City hereunder are in compliance with all Federal and State environmental protection and anti-pollution laws, rules, regulations, orders, or requirements, including solid waste requirements; and all such dedicated property is in compliance with all requirements pertaining to the disposal or existence of any hazardous substances, pollutants, or contaminants as defined by the Comprehensive Environmental Response Compensation and Liability Act of 1980, as amended, and regulations promulgated thereunder.
- 11.1.5 <u>No conflict</u>. Neither the execution of this Agreement nor the consummation of the transaction contemplated by this Agreement will constitute a breach under any contract, agreement, or obligation to which the Developer is a party or by which the Developer is bound or affected.
- 11.2 <u>City's Representations and Warranties</u>. The City hereby represents and warrants to the Developer that the following are true and correct as of the date of the City's execution of this Agreement and will be true and correct as of the Effective Date:
 - 11.2.1 <u>Authority</u>. Upon execution, this Agreement will have been duly authorized by City Council as a legal, valid, and binding obligation of the City, and is enforceable as to the City in accordance with its terms.
 - 11.2.2 <u>Authorized signatory</u>. The person executing this Agreement on behalf of the City is duly authorized and empowered to execute this Agreement on behalf of the City.
 - 11.2.3 No adverse condition. To the best of the City's knowledge, there is no fact or condition of the Property known to the City that may have a material adverse effect on the Developer's ability to develop the Property as contemplated under the Development Plan or as proposed in the Subdivision Plat.
 - 11.2.4 <u>No conflict</u>. Neither the execution of this Agreement nor the consummation of the transaction contemplated by this Agreement will constitute a breach under any contract, agreement, or obligation to which the City is a party or by which the City is bound or affected.

Section 12– General Provisions

12.1 <u>Waiver of Defects</u>. In executing this Agreement, the Developer waives all objections it may have to any defects in the form or execution of this Agreement concerning the power of the City to impose conditions on the Developer as set forth herein. The Developer further waives all objections it may have to the procedure, substance, and form of the ordinances or resolutions of

City Council adopting this Agreement.

- 12.2 <u>Final Agreement</u>. This Agreement supersedes and controls all prior written and oral agreements and representations of the Parties with respect to a Development Improvements Agreement; Subdivision Improvements Agreement; and Inclusionary Housing Agreement associated with development of the Property, and is the total integrated agreement between the Parties with respect to that subject.
- 12.3 <u>Modifications</u>. This Agreement may be modified only by a subsequent written agreement executed by both Parties.
- 12.4 <u>Voluntary Agreement</u>. The Developer agrees to comply with all of the terms and conditions of this Agreement on a voluntary and contractual basis.
- 12.5 <u>Survival</u>. The City's and the Developer's representations, covenants, warranties, and obligations set forth herein, except as they may be fully performed before or on the Effective Date, will survive the Effective Date and are enforceable at law or in equity.
- 12.6 <u>Notice</u>. All notices required under this Agreement must be in writing and must be hand-delivered or sent by registered or certified mail, return receipt requested, postage prepaid, to the addresses of the Parties as set forth below. All notices so given will be considered effective immediately upon hand-delivery, and seventy-two hours after deposit in the United States Mail with the proper address as set forth below. Either Party by notice so given may change the address to which future notices are to be sent.

Notice to the City: City of Salida

Attn: City Administrator and City Attorney

448 East First Street, Suite 112

Salida, CO 81201

Notice to the Developer: Dreamers and Doers, LLC

P.O. Box 1532 Alamosa, CO 81101

- 12.7 <u>Severability</u>. The terms of this Agreement are severable. If a court of competent jurisdiction finds any provision hereof to be invalid or unenforceable, the remaining terms and conditions of the Agreement will remain in full force and effect.
- 12.8 <u>Recording</u>. The City shall record this Agreement with the Clerk and Recorder of Chaffee County, Colorado, at the Developer's expense.
- 12.9 <u>No Third-Party Beneficiaries</u>. Nothing in this Agreement, express or implied, confers or is intended to confer any rights or remedies whatsoever upon any person or entity other than the City, the Developer, and the Developer's successor(s).
- 12.10 No Waiver of Immunity. Nothing in this Agreement, express or implied, waives or is intended to waive the City's immunity under Colorado State law, including without limitation the Colorado Governmental Immunity Act, C.R.S. §§ 24-10-101 through -120.

- 12.11 <u>Joint Drafting</u>. The Parties acknowledge that this Agreement represents the negotiated terms, conditions, and covenants of the Parties, and that the Party responsible for drafting any such term, condition, or covenant is not to be prejudiced by any presumption, canon of construction, implication, or rule requiring construction or interpretation against the Party drafting the same. <u>Subject to Annual Appropriation</u>. Any financial obligation of the City arising under this Agreement and payable after the current fiscal year is contingent upon funds for that purpose being annually appropriated, budgeted, and otherwise made available by the City Council in its discretion.
- 12.12 <u>Exhibits</u>. All schedules, exhibits, and addenda attached to this Agreement and referred to herein are to be deemed to be incorporated into this Agreement and made a part hereof for all purposes.
- 12.13 <u>Counterparts</u>. This Agreement may be executed in multiple counterparts, all of which taken together constitute one and the same document.

WHEREFORE, the parties hereto have executed duplicate originals of this Agreement on the day and year first written above.

	CITY OF SALIDA, COLORADO
E	Mayor, Dan Shore
ATTEST:	
City Clerk/Deputy City Clerk	
STATE OF COLORADO)) ss. COUNTY OF CHAFFEE)	
Acknowledged, subscribed, and sworn to before 202 by, as on behalf of the City of Salida, Colorado.	re me this day of, as Clerk
WITNESS my hand and official seal. My Commission expires:	
	Notary Public

		DEVELOPER:	
		Dreamers and Doers, LLC	_
1)) ss.) cribed, and sworn to before me	e thisday of	202
WITNESS my hand and office My Commission expires:			
	Nota	ry Public	

505 OAK STREET SUBDIVISION

LOACTED IN THE 51/2 SW1/4 NW1/4 OF SECTION 4, T 49 N, R 9 E, N.M.P.M.

CITY OF SALIDA CHAFFEE COUNTY, COLORADO SHEET 1 OF 2

CERTIFICATE OF DEDICATION AND OWNERSHIP:

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED, BEING ALL OF THE OWNERS, MORTGAGEES AND LIEN HOLDERS OF CERTAIN LAND IN THE CITY OF SALIDA, CHAFFEE COUNTY, COLORADO, DESCRIBED AS FOLLOWS:

A tract of land located in the South Half of the Southwest Quarter of the Northwest Quarter (SI/2 SMI/4 NMI/4) of Section 4, Township 49 North, Range 9 East of the New Mexico Principal Meridian, (City of Salida) Chaffee County, Colorado, being des-

cribed as follows:
Commencing at the Southeast corner of the SMI/4 of the NMI/4 of said Section 4, as commonly accepted, being a fence corner (from whence a 5/8 inch reinforcing bar with a I I/2 inch aluminum cap stamped "CW I/16, Sec. 4, 1776" bears South 62°25' West 18.0 feet); thence proceeding North 89°47' West along the South line of said SMI/4 of the NMI/4, as fenced, 9I feet, more or less, to a point on the east side of Scott Street (produced South) in the City of Salida which is the point of beginning of the tract herein described; thence proceeding North 89°47' West along the south line of said SMI/4 of the NM I/4 to a point on the east side of Colorado Highway No. 29I (formerly Oak Street); thence North 0°17' West along said highway boundary 29I.4 feet, more or less, to the southwest corner of a tract of land described in Book 380 at Page 966 (Pennington to McDonald) thence North 89°43' East 310.5 feet along the southerly boundary of said tract of real property described in Book 380 at Page 966 to southeast corner of said tract of real property which is the east side line of said Scott Street (produced south) thence South along the East line of Scott (produced south) to the point of beginning.

DO HEREBY LAY-OUT, PLAT AND SUBDIVIDE THE ABOVE DESCRIBED PROPERTY INTO LOTS, A PRIVATE STREET AND EASE-MENTS WITH BEARINGS AND DISTANCES AS SHOWN ON SHEET 2 CONTAINED HEREIN, TO BE KNOWN AS:

> 505 OAK STREET SUBDIVISION CITY OF SALIDA

CHAFFEE COUNTY, COLORADO

AND DREAMERS CIRCLE SHALL SERVE AS AN EXCLUSIVE STREET, PARKING, DRAINAGE AND UTILITY EASEMENT FOR THE OWNERS OWNERS OF THE LOTS SHOWN ON SHEET 2 CONTAINED HEREON.

AND DREAMERS CIRCLE AND COMMON FACILITIES, INCLUDING DRIVEWAYS, PARKING, DRAINAGE, SIDEWALKS AND LANDSCAPING SHALL BE OWNED BY THE 505 OAK STREET HOMEOWNERS ASSOCIATION, WHICH SHALL BE RESPONSIBLE FOR MAINTENANCE AND REPLACEMENT COSTS FOR SUCH INFRASTRUCTURE.

AND THE LOTS SHALL BE SUBJECT TO THE PUBLIC UTILITY EASEMENTS SHOWN ON SHEET 2 CONTAINED HEREON. AND DUPLEX LOTS I THRU IO SHALL BE SUBJECT TO A 20.0 FOOT WIDE DRAINAGE EASEMENT ADJACENT SOUTH OF THE NORTH BOUNDARY OF SAID LOTS, AS SHOWN ON SHEET 2 CONTAINED HEREIN.

AND DREAMERS CIRCLE SHALL BE SUBJECT TO A PUBLIC ACCESS AND UTILITY EASEMENT ADJACENT NORTH OF THE ENTIRE SOUTH BOUNDARY OF THE PROPERTY, AS SHOWN ON SHEET 2.

AND THE LOTS WITHIN 505 OAK STREET SUBDIVISION SHALL BE SUBJECT TO THE DECLARATION OF COVENANTS AND HOME OWNERS ASSOCIATION (H.O.A.) AS SET FORTH IN RECEPTION NO. ____ OF THE CHAFFEE COUNTY RECORDS. AND THE 505 OAK STREET SUBDIVISION HAS COMPLIED WITH CHAPTER 16 OF THE SALIDA MUNICIPAL CODE AND IS SUBJECT TO THE TERMS OF THE EXECUTED SUBDIVISION IMPROVEMENT AND INCLUSIONARY HOUSING AGREEMENT, AS RECORDED AT

ACKNOWLEDGEMENT:

IN WITNESS HEREOF, THE UNDERSIGNED HAVE CAUSED THESE PRESENTS TO BE EXECUTED ON THIS _____ DAY OF _____ , 202___.

DREAMERS AND DOERS, LLC A COLORADO LIMITED LIABILITY COMPANY

RECEPTION NO. _____ OF THE CHAFFEE COUNTY RECORDS.

BRIAN COOK, MANAGING MEMBER

SAN LUIS VALLEY FEDERAL BANK

STATE OF COLORADO } COUNTY OF CHAFFEE

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

WITNESS MY HAND AND OFFICIAL SEAL MY COMMISSION EXPIRES ___

> NOTARY PUBLIC _____ **ADDRESS**

CERTIFICATE OF TITLE INSURANCE COMPANY:

I, BRETT W. EAKINS, REPRESENTING FIRST AMERICAN TITLE INSURANCE COMPANY IN THE STATE OF COLORADO DO CERTIFY THAT I HAVE EXAMINED THE TITLE TO THE REAL PROPERTY SHOWN AND DESCRIBED ON THESE PLATS AND FOUND TITLE VESTED IN DREAMERS AND DOERS, LLC, A COLORADO LIMITED LIABILITY COMPANY, FREE AND CLEAR OF ALL LIENS AND ENCUMBRANCES, EXCEPT:

BRETT W. EAKINS

LAND SURVEYOR'S STATEMENT:

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

DATED THIS _____, DAY OF ______, 202___.

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

GENERAL LAND SURVEYOR'S NOTES:

I) PROPERTY DESCRIPTION AND RECORD EASEMENT RESEARCH BASED ON FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT NO. 21-14256 ISSUED BY CENTRAL COLORADO TITLE & ESCROW, EFFECTIVE MARCH I, 2021. 2) DEED LINES ARE BASED ON AFOREMENTIONED PROPERTY DESCRIPTION AND ON THE LOCATIONS OF THE RECOVERED REBAR PROPERTY CORNER MONUMENTS SHOWN AND DESCRIBED ON THIS PLAT.

CITY COUNCIL APPROVAL:

THIS PLAT IS APPROVED FOR FILING AND THE CITY OF SALIDA HEREBY ACCEPTS THE DEDICATION OF OF THE PUBLIC UTILITY EASEMENTS SHOWN AND DESCRIBED HEREIN, SUBJECT TO THE PROVISIONS SET FORTH IN CERTIFICATE OF STREET AND UTILITY MAINTENANCE ABOVE, AND DOES HEREBY APPROVE THE 505 OAK STREET SUBDIVISION.

DATED: _____, 202__

TO THAT PARTICULAR STREET OR UTILITY.

MAYOR

MAXWELL > ST. ELM DRIVE CHILCOTT ST MAPLE DRIVE NICHOLS AVE. Σ_{Z} -00 푸른 ILLINOIS N 1/2 NB 1/4 8W 1/4 AVE. RIVER RIDGE RIVER RIDGE GROVE SUBDIVISION COUNTY ROAD NO. 105 OLD STAGE ROAD HWY. 50 TWO RIVERS SUBDIVISION CONDITIONS OF APPROVAL: a) Pursuant to Section 16-6-140, Fair Contributions to Public School Sites, as may be amended, a payment in lieu of land dedication for fair contributions for public school sites shall be paid by the owner of CERTIFICATE OF STREET & UTILITY MAINTENANCE: each lot within this subdivision prior to issuance of a building permit for any new residence on such lot. b) As required by 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 PUBLIC NOTICE IS HEREBY GIVEN THAT NEITHER ANY DEDICATED PUBLIC ROADS OR PUBLIC UTILITIES WILL BE MAINTAINED BY THE CITY OF SALIDA UNTIL AND UNLESS THE SUBDIVIDER constructed. The applicants have provided public access on the south boundary of the property for a connection to the trail on Scott Street. The public access is shown on the plat. CONSTRUCTS THE STREETS/ROADS AND UTILITIES IN ACCORDANCE WITH THE SUBDIVISION IMPROVEMENTS AGREEMENT, IF ANY, AND THE SUBDIVISION REGULATIONS AT THE TIME OF c) As required under Section 16-6-120(11), no residential facade elevation shall be repeated more than once every five (5) lots on the same side of the street. The development must provide a diversity in architechtural elements such as roof types and pitches, differentiated front entries and exterior materials (exlcudes different color). At time of building permit submittals, the applicant shall provide elevations of any and all homes (or homes under construction) along the same side of the street and THE FILING OF THE PLAT, AND APPROVAL BY THE CITY HAS BEEN ISSUED TO THAT EFFECT. WHEN THE THE CITY APPROVES A STREET OR UTILITY FOR MAINTENANCE, THE STREET OR UTILITY SHALL BECOME PUBLIC IN ALL SENSES OF THE WORD AND THE SUBDIVIDER SHALL HAVE NO FURTHER OBLIGATIONS IN REGARDS TO THAT PARTICULAR STREET OF UTILITY. (if applicable) the home(s) directly across the streeet, to ensure that the subdivision architectural standards will be met. The developer shall add architectural elements on windows and doors for the apartments to break up the facade elevation.

VICINITY MAP

CLERK AND RECORDER'S CERTIFICATE:

THIS PLAT WAS FILED IN THE OFFICE OF THE CLERK AND RECORDER OF CHAFFEE COUNTY, COLORADO, AT _____, M. ON THIS ____, DAY OF ____, 202__.

RECEPTION NO. _____

CHAFFEE COUNTY CLERK & RECORDER

SHEET 1 OF 2

REVISION: 9/26/23 M.K.H. 505 OAK STREET SUBDIVISION in the 51/2 SW 1/4 NW 1/4 of SECTION 4, T 49 N, R 9 E, N.M.P.M. CHAFFEE COUNTY CITY OF SALIDA Job Number: J-22-210 HENDERSON LAND SURVEYING CO., INC. TPC FILE: J-08-055 B. S. H. 203 G STREET SALIDA, COLORADO DRAWN BY: TMOD CADD DRAWING NO. M. K. F CHECKED: L-22-80 12/1/22 Field Book: S

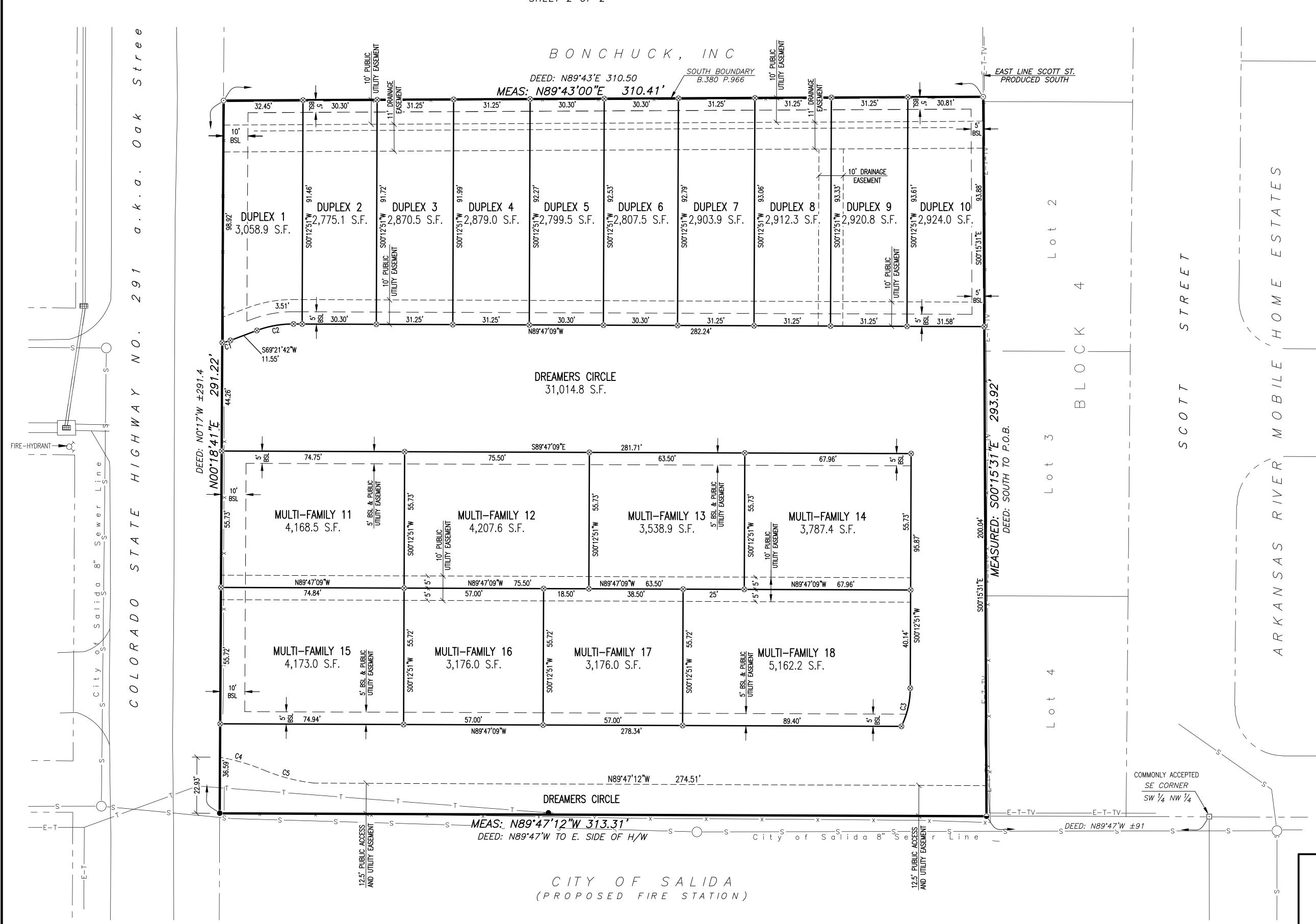
NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENDED WORE THAN TEN YEARS FROM THE DATE OF THE SURVEYOR'S STATEMENT

505 OAK STREET SUBDIVISION

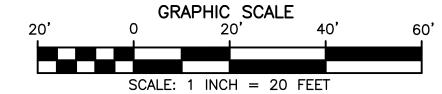
LOCATED IN THE

 $S\frac{1}{2}SW\frac{1}{4}NW\frac{1}{4}OFSEC.$ 4, T49N, R9E, N.M.P.M

IN THE CITY OF SALIDA CHAFFEE COUNTY, COLORADO SHEET 2 OF 2







DIRECTIONS ARE BASED ON THE BEARING N89°43'E BETWEEN THE TRACT SHOWN AND DESCRIBED HEREON, SAID MONUMENTS ARE AS SHOWN AND DESCRIBED HEREON.

LEGEND

	DENOTES NEW LOT LINE
	DENOTES NEW EASEMENT LINE
- X	DENOTES FENCELINE
E_T_TV	DENOTES OVERHEAD ELECTRIC, TELEPHONE, TV LINE
-SS	DENOTES EXISTING SEWER LINE
	DENOTES RECOVERED 5/8" REBAR WITH A 1-1/2" ALUMINUM CAP STAMPED '10721'
→	DENOTES RECOVERED 5/8" REBAR WITH A 1-1/2" ALUMINUM CAP STAMPED 'LS

DENOTES PROPERTY BOUNDARY

DENOTES EXISTING/ADJACENT RIGHT-OF-WAY

DENOTES RECOVERED 5/8" REBAR WITH A 1" ALUMINUM CAP STAMPED 'PROPERTY CORNER ILS 1776' DENOTES MONUMENT TO BE SET PRIOR

TO FILING OF FINAL PLAT.

CURVE TABLE					
CURVE #	RADIUS	DELTA	LENGTH	CHORD	CHORD BRNG
C1	19.00	010°25'17"	3.46	3.45	S74°34'20"W
C2	42.08	020*51'09"	15.32	15.23	S80°01'06"W
C3	36.00	025*38'48"	16.12	15.98	N13°04'55"E
C4	83.71	012*53'47"	18.84	18.80	S73°38'12"E
C5	74.70	016*21'08"	21.32	21.25	S75°36'18"E

PLAT NOTES:

- 1. ALL LOTS SHALL BE SHALL BE SUBJECT TO A DECLARATION OF COVENANTS AND HOMEOWNERS ASSOCIATION (H.O.A) AS SET FORTH IN RECEPTION NO.
- 2. DREAMERS CIRCLE SHALL SERVE AS A PUBLIC UTILITY EASEMENT AS WELL AS AN EXCLUSIVE ROADWAY PARKING, AND DRAINGE EASEMENT FOR THE LOTS SHOWN HEREON.
- 3. DREAMERS CIRCLE AND COMMON FACILITIES, INCLUDING DRIVEWAYS, PARKING, DRAINAGE SIDEWALKS, AND LANDSCAPING, SHALL BE OWNED BY THE 505 OAK STREET HOMEOWNERS ASSOCIATION, WHO SHALL BE RESPONSIBLE FOR ALL REQUIRED REPLACEMENT AND MAINTENANCE COST OF THE INFRASTRUCTURE.

OWNER:

DREAMERS AND DOERS, LLC PO BOX 1532 ALAMOSA, CO 81101

LAND SURVEYOR HENDERSON LAND SURVEYING 203 G STREET

SALIDA, CO 81201 CONTACT: MICHAEL K. HENDERSON



SHEET 2 OF 2 REVISION: 9/26/23 T.L.V.

	505 OAK STREET SUBDIVISION S1/2 SW1/4 OF SEC. 4, T49N, R9E, N.M.P.M.			
SALIDA, CO				
Job Number: <i>J</i> – <i>22</i> – <i>210</i> TPC FILE: <i>J</i> – <i>08</i> – <i>055</i>	HENDERSON LAND S 203 G STREET	SURVEYING CO., INC. SALIDA, COLORADO		
DRAWN BY:RP	DATE:	DRAWING NO.		
CHECKED: TLV Fld. book:	DEC. 2022	L-22-80		



DEPARTMENT	PRESENTED BY	DATE
Planning	Kristi Jefferson - Senior Planner	November 21, 2023

<u>ITEM</u>

Ordinance 2023-17: First Reading on the proposed Flour Mill Annexation of the 2 acre property located at 6907 C.R.105.

BACKGROUND

The applicant, Biker Baker Holdings LLC, represented by Rob Gartzman submitted a complete application to annex the property located at 6907 County Road 105 on September 13, 2023 along with an application for Zoning to be considered during a separate hearing.

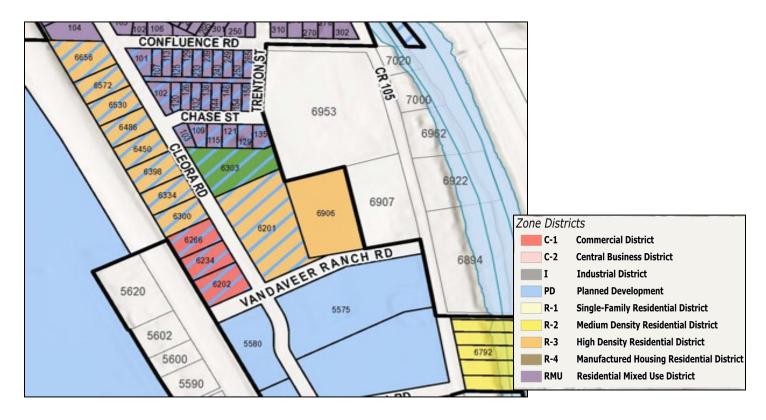
A conceptual review meeting was held with City Council and Planning Commission on August 14, 2023.





DEPARTMENT	PRESENTED BY	DATE
Planning	Kristi Jefferson - Senior Planner	November 21, 2023

Surrounding Land Use and Zoning: The site is currently zoned RES (Residential Zone District) in Chaffee County. The properties to the north and east remain in Chaffee County and are also zoned RES. The properties to the west are within the city limits and are zoned High Density Residential (R-3) and the properties to the south are part of the Vandaveer Ranch Planned Development.



PROCESS:

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

- 1/6th of the perimeter of a proposed annexation must be contiguous with the City of Salida;
- Staff reviews the petition for compliance with city and state statutes and Council adopts a
 resolution stating the petition is valid and sets a public hearing date that is no less than 30
 days and no greater than 60 days from the resolution date;



DEPARTMENT	PRESENTED BY	DATE
Planning	Kristi Jefferson - Senior Planner	November 21, 2023

- On October 17, 2023 City Council adopted Resolution 2023-46 finding the Annexation petition in compliance with city and state statutes and set the public hearing date for December 5, 2023.
- The (City Council) public hearing is advertised in the newspaper for four consecutive weeks;
- The Planning Commission holds a public hearing to review the annexation and recommend the zoning designation of the property;
- Council holds the public hearing on the annexation petition;
- Council reviews and possibly approves an annexation agreement; and
- Council holds a public hearing to review and possibly approves the proposed zoning.

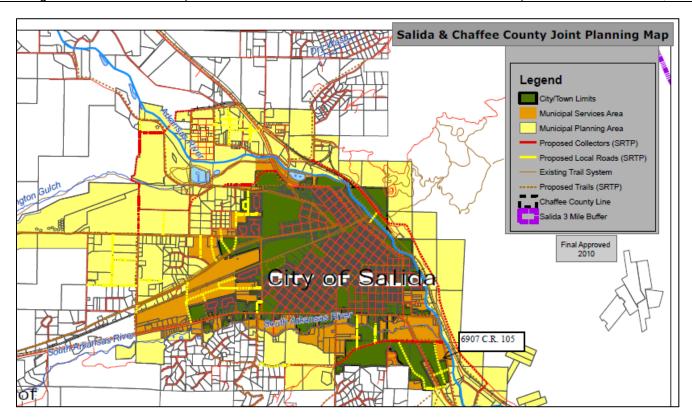
FINDINGS OF FACT:

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

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



DEPARTMENT	PRESENTED BY	DATE
Planning	Kristi Jefferson - Senior Planner	November 21, 2023



In addition, the proposal will provide for a logical extension of the City boundary to support the demand for residentially-zoned land, which will provide housing opportunities.

- 4. The property may be efficiently served by City fire and police departments.
- 5. The property is a natural extension of the City's municipal boundary and meets the legal requirements for annexation.

The timeline for the related requests to the annexation are as follows:

Proposed Action	Planning Commission Recommendation	City Council First Reading	City Council Final Action
Findings of Fact Resolution 2023-			12/05/2023
Annexation Ordinance 2023-17	10/23/2023	11/21/2023	12/05/2023
Annexation Agreement Resolution 2023-			12/05/2023
Zoning Ordinance 2023-18	10/23/2023	11/21/2023	12/05/2023



DEPARTMENT	PRESENTED BY	DATE
Planning	Kristi Jefferson - Senior Planner	November 21, 2023

Annexation Agreement: On December 5, 2023, staff will propose an annexation agreement that will incorporate the Inclusionary Housing, Open Space In-lieu fees and Fair Contributions to Public School site requirements.

RESPONSE FROM REFERRAL DEPARTMENTS AND AGENCIES:

- <u>Salida Fire Department</u>: Assistant Fire Chief, Kathy Rohrich, responded "Fire Department has no concerns at this time."
- <u>Salida Police Department</u>: Police Chief, Russ Johnson, responded "No issues from PD at this time."
- <u>Salida Parks and Recreation Department</u>: Director Diesel Post, responded "Thanks for sharing. I
 do not see any mention of open space or fee-in-lieu. I know that Rob mention to the planning
 commission that Confluent park was so close and that that would the park that this neighborhood
 would use, use he will still need fee-in-lieu and probably some trail connections."
- <u>Public Works Department and City Engineering Consultants</u>: Public Works and JVA are in the process of reviewing the civil plans.
- <u>Salida Finance Department:</u> Staff Accountant, Renee Thonhoff, responded 6907 C.R. 105 has a sewer/water utility account. System development fees would need to be paid upon further development.
- <u>Salida School District</u>: Superintendent David Blackburn, responded "We will accept fees in lieu of land."
- Xcel Energy: Response is attached
- Chaffee County Planning Department, No response received

PLANNING COMMISSION RECOMMENDATION

A public hearing with the Planning Commission was held October 23, 2023, and the Commission recommended Council approve the proposed Flour Mill Annexation with staffs recommended conditions.



DEPARTMENT	PRESENTED BY	DATE
Planning	Kristi Jefferson - Senior Planner	November 21, 2023

STAFF RECOMMENDATION

Staff recommends approval of the proposed annexation, subject to Council approval of an annexation agreement with the following conditions:

- 1. That new residential dwelling units constructed on the property shall meet the inclusionary housing requirements of Article XIII of Chapter 16 of the Salida Municipal Code at the time of building permit submittal.
- 2. That new residential dwelling units constructed on the property shall meet the requirements of Land Use Code Sec. 16-6-140, Fair Contributions to Public School Sites, at the time of issuance of a building permit.
- 3. Fees in lieu of open space shall be provided, in an amount then in effect, at the time of issuance of a building permit for new residential units constructed on the property.

SUGGESTED MOTION

A council person should make the motion to "approve Ordinance 2023-17 on first reading and set the second reading and public hearing for December 5, 2023."

Attachments: Ordinance 2023-17

Agency reviews

Flour Mill Annexation petition and Annexation plat

Draft minutes from the October 23, 2023 Planning Commission meeting

ORDINANCE NO. 17 SERIES OF 2023

AN ORDINANCE OF THE CITY OF SALIDA, COLORADO ANNEXING TO THE CITY OF SALIDA A CERTAIN TRACT OF LAND IN UNINCORPORATED CHAFFEE COUNTY KNOWN AS THE FLOUR MILL ANNEXATION

WHEREAS, on September 13, 2023, representatives of the Flour Mill, filed a General Development Application (the "Petition") to commence proceedings to annex to the City of Salida (the "City") a certain unincorporated tract of land comprised of 2 acres located at 6907 C.R. 105 in the County of Chaffee, State of Colorado (the "Property"), and being more particularly described on Exhibit A, attached hereto and incorporated herein by reference; and

WHEREAS, pursuant to C.R.S. §31-12-108, the City Council by Resolution No. 46, Series of 2023 specified that the City Council would hold a hearing on the proposed annexation at its regular meeting on December 5, 2023, commencing at the hour of 6 p.m. in the City Council Chambers, 448 East First Street, Salida, Colorado; and

WHEREAS, pursuant to C.R.S. §31-12-108 to -110, the City Council on December 5, 2023 held a duly-noticed public hearing to consider the proposed annexation; and

WHEREAS, notice of such hearing was published on November 3, 2023, November 10, 2023, November 17, 2023 and November 24, 2023 in *The Mountain Mail* newspaper; and

WHEREAS, C.R.S. §31-12-105(1)(e) provides that prior to the completion of any annexation within a three-mile area, the municipality shall have in place a plan for that area, which generally describes the proposed location, character, and extent of streets, subways, bridges, waterways, waterfronts, parkways, playgrounds, squares, parks, aviation fields, other public ways, grounds, open spaces, public utilities and terminals for water, light, sanitation, transportation and power to be provided by the municipality and the proposed land uses for the area; and

WHEREAS, the City hereby sets forth its Findings of Fact, Determinations, and Conclusions with regard to annexation to the City of the Flour Mill Annexation; and

WHEREAS, the City currently has in place a Comprehensive Plan and other long-range planning documents which constitute the City's annexation plan.

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

1. The City incorporates the foregoing recitals as findings and determinations by the City Council.

- 2. The City hereby approves the annexation of the Property described on Exhibit A, attached hereto with the following conditions of approval, and such real Property is hereby annexed to and made a part of the City of Salida.
 - 1. That new residential dwelling units constructed on the property shall meet the inclusionary housing requirements of Article XIII of Chapter 16 of the Salida Municipal Code at the time of building permit submittal.
 - 2. That new residential dwelling units constructed on the property shall meet the requirements of Land Use Code Sec. 16-6-140, Fair Contributions to Public School Sites, at the time of issuance of a building permit.
 - 3. Fees in lieu of open space shall be provided, in an amount then in effect, at the time of issuance of a building permit for new residential units constructed on the property.
- 3. Within ten (10) days after final publication of this Ordinance, the City Clerk of the City of Salida, Colorado, on behalf of the City shall:
 - A. File one (1) copy of the Annexation Plat and the original of this Annexation Ordinance in the office of the City Clerk of the City of Salida, Colorado;
 - B. File for recording three (3) certified copies of this Annexation Ordinance and three (3) copies of the Annexation Plat, containing a legal description of the annexation parcel, with the County Clerk and Recorder of Chaffee County, Colorado, with directions to the Chaffee County Clerk and Recorder to file one certified copy of this Annexation Ordinance and one copy of the Annexation Map with the Division of Local Government of the Department of Local Affairs of the State of Colorado and one certified copy of this Annexation Ordinance and one copy of the Annexation Map with the Colorado Department of Revenue; and
 - C. File one certified copy of this Annexation Ordinance and one copy of the Annexation Map in the office of the County Assessor of Chaffee County, Colorado.

INTRODUCED ON FIRST READING, on November 21, 2023, ADOPTED and set for second reading and public hearing on the 5th day of December, 2023.

[SEAL]	
ATTEST	`:
City Cle	·k/Deputy Clerk
	UBLISHED IN FULL in the Mountain Mail after First Reading on the day of
2023.	
	City Clerk/Deputy City Clerk

EXHIBIT A

LEGAL DESCRIPTION OF A TRACT OF LAND TO BE ANNEXED

A PARCEL OF LAND LOCATED WITHIN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 49 NORTH, RANGE 9 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, CHAFFEE COUNTY, COLORADO, BEING LOT 3 OF THE TRIPLE T RANCH MINOR SUBDIVISION AND A PORTION OF CHAFFEE COUNTY ROAD NO. 105, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT LOCATED AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY OF VANDAVEER RANCH ROAD AND THE WESTERN RIGHT-OF-WAY OF CHAFFEE COUNTY ROAD NO. 105, SAID POINT BEING MARKED BY A 1½" ALUMINUM CAP STAMPED "LS 16117" AND BEING THE POINT OF BEGINNING;

THENCE SOUTH 78°47'57" WEST ALONG SAID NORTH RIGHT-OF-WAY OF VANDAVEER RANCH ROAD, A DISTANCE OF 221.72 FEET;

THENCE NORTH 12°14'41" WEST, A DISTANCE OF 383.06 FEET;

THENCE NORTH 73°55'54" EAST, A DISTANCE OF 221.81 FEET TO SAID WESTERN RIGHT-OF-WAY OF CHAFFEE COUNTY ROAD NO. 105;

THENCE NORTH 12°48'58" WEST A DISTANCE OF 60.18 FEET;

THENCE NORTH 13°53'16" WEST A DISTANCE OF 268.86 FEET;

THENCE NORTHWESTERLY AND DEFLECTING TO THE LEFT, A DISTANCE OF 169.14 FEET ALONG THE ARC OF A CURVE HAVING A RADIUS OF 820.00 FEET, A DELTA ANGLE OF 11°49'07", A CHORD LENGTH OF 168.84 FEET AND A CHORD BEARING OF NORTH 19°46'48" WEST;

THENCE NORTH 25°25'46" WEST A DISTANCE OF 16.62 FEET, THIS AND THE PREVIOUS 3 COURSES ARE ALONG SAID WESTERN RIGHT-OF-WAY OF CHAFFEE COUNTY ROAD NO. 105;

THENCE SOUTH 88°48'25" EAST A DISTANCE OF 55.88 FEET TO THE EASTERN RIGHT-OF-WAY OF SAID CHAFFEE COUNTY ROAD NO. 105;

THENCE SOUTH 17°20'35" EAST A DISTANCE OF 299.74 FEET;

THENCE SOUTH 14°18'14" EAST A DISTANCE OF 237.32 FEET;

THENCE SOUTH 11°01'56" EAST A DISTANCE OF 251.91 FEET;

THENCE SOUTH 10°39'25" EAST A DISTANCE OF 180.73 FEET, THIS AND THE PREVIOUS 3 COURSES ARE ALONG SAID EASTERN RIGHT-OF-WAY OF SAID CHAFFEE COUNTY ROAD NO. 105;

THENCE SOUTH 78°47'57" WEST A DISTANCE OF 47.24 FEET TO SAID WESTERN RIGHT-OF-WAY OF CHAFFEE COUNTY ROAD NO. 105;

THENCE NORTH 09°55'44" WEST ALONG SAID WESTERN RIGHT-OF-WAY OF CHAFFEE COUNTY ROAD NO. 105, A DISTANCE OF 66.02 FEET TO THE POINT OF BEGINNING.

CONTAINING 3.10 ACRES.

Also known by the following address:

6907 County Road 105, Salida, CO 81201

And assessor's schedule or parcel number: 380709100072



PLANNING STAFF: Kristi Jefferson

PLANNING DEPARTMENT PROJECT REVIEW TRANSMITTAL FORM

ATTENTION:	DATE: September 25, 2023					
 Salida Public Works Salida Fire Chief Salida Police Chief Salida Finance Department U.S. Postal Service U.S. Forest Service CO Dept. of Transportation City Consulting Engineer City Attorney Parks and Recreation Director 	 Xcel Energy Atmos Energy Chaffee Co. Planning Army Corps of Engineers Division of Wildlife Town of Poncha Springs Chaffee Co. Building Official Historic Preservation Commission School District R-32-J Other: 					
APPLICANT: Biker Baker Holdings LLC (Rob Gartz	man) PHONE: 303-903-4620					
EMAIL:rob@sweeties insalida.com						
PROPERTY LOCATION: 6907 C.R. 105						
PROJECT DESCRIPTION: The owner submitted applicand Major Subdivision of the property located at 6907 C.R.	rations for Annexation, Zoning, Planned Development Overlay 3, 107					
TENTATIVE MEETING DATES: Planning Commission City Council Board of Adjustment Board of Appeals	10/23/23 @ 6:00 P.M. 12/05/23 @ 6:00 P.M. @ P.M. @ P.M.					
TRANSMITTAL INCLUDES: Application Form/Cover Letter Vicinity Map Site Plan Plat	Other:					
NOTE: A written response, even if only to advise that you have no concerns, is requested. REPLY: NO CONCERNS AT THIS TIME.						
RESPONSE NEEDED BY: October 12, 2023	RECEIVED:					

From: <u>Diesel Post</u>

To: Kristi Jefferson; Doug Bess; Kathy Rohrich; rjohnson@salidapolice.com

Subject: Re: 6907 C.R. 105 - Flour Mill Annex, Zoning, PD & Sub - Agency review

Date: Monday, September 25, 2023 9:17:41 AM

Attachments: image001.pnq

Thanks for sharing. I do not see any mention of open space or fee-in-lieu. I know that Rob mention to the planning commission that Confluent park was so close and that that would the park that this neighborhood would use, use he will still nee fee-in-lie and probably some trail connections.



Mike 'Diesel' Post

Director, Parks and Recreation

diesel.post@cityofsalida.com P: 719-539-4555 | C: 719-966-9378 448 E First Street, Suite 112, Salida, CO 81201 cityofsalida.com

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

Sent: Monday, September 25, 2023 8:53 AM

To: Doug Bess <doug.bess@cityofsalida.com>; Kathy Rohrich <kathy.rohrich@cityofsalida.com>; rjohnson@salidapolice.com <rjohnson@salidapolice.com>; Diesel Post <diesel.post@cityofsalida.com>

Subject: 6907 C.R. 105 - Flour Mill Annex, Zoning, PD & Sub - Agency review

Attached is the agency review for Rob Gartzman's annexation, zoning, Planned Development and Subdivision applications. Please let me know if you have any questions.

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



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

From: Russ Johnson

To: <u>Kristi Jefferson</u>; <u>Doug Bess</u>; <u>Kathy Rohrich</u>; <u>Diesel Post</u>

Subject: RE: 6907 C.R. 105 - Flour Mill Annex, Zoning, PD & Sub - Agency review

Date: Monday, September 25, 2023 2:33:35 PM

Attachments: <u>image001.png</u>

Nothing from PD at this time.

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

Sent: Monday, September 25, 2023 8:54 AM

To: Doug Bess <doug.bess@cityofsalida.com>; Kathy Rohrich <kathy.rohrich@cityofsalida.com>; Russ Johnson <rjohnson@salidapolice.com>; Diesel Post <diesel.post@cityofsalida.com>

Subject: 6907 C.R. 105 - Flour Mill Annex, Zoning, PD & Sub - Agency review

Attached is the agency review for Rob Gartzman's annexation, zoning, Planned Development and Subdivision applications. Please let me know if you have any questions.

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



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

From: Blackburn, David
To: Kristi Jefferson

Subject: Re: FW: 6907 C.R. 105 - Flour Mill Annex, Zoning, PD & Sub - Agency review

Date: Friday, September 29, 2023 1:26:21 PM

Attachments: image001.png

image001.png

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

Respectfully,

Dr. D. Blackburn Superintendent 719.530.5203 719-221-5915 salidaschools.com

On Mon, Sep 25, 2023 at 11:30 AM Kristi Jefferson < kristi.jefferson@cityofsalida.com wrote:

Attached is the agency review for Rob Gartzman's Annexation, Zoning, Planned Development and Subdivision applications for his property at 6907 C.R. 105. Please let me know if you have any questions.

Kristi Jefferson

Senior Planner

City of Salida

448 E. First Street

Suite 112

Salida, CO 81201

(719) 530-2626



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

From: Renee Thonhoff
To: Kristi Jefferson

Subject: Re: 6907 C.R. 105 - Flour Mill Annex, Zoning, PD & Sub - Agency review

Date: Monday, September 25, 2023 10:55:55 AM

Attachments: image001.png

Outlook-2efhagrn

The property located at 6907 C.R. 105 currently has one water and one sewer tap. Upon development system development fees will need to be paid.

Thank you, Renee



Renee Thonhoff

Staff Accountant, Finance Department

renee.thonhoff@cityofsalida.com P: 719-539-4555 | C: 719-539-5271 448 E First Street, Suite 112, Salida, CO 81201 cityofsalida.com

<!--[if !vml]-->

<!--[endif]-->

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

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

Sent: Monday, September 25, 2023 8:54 AM

To: Renee Thonhoff < renee.thonhoff@cityofsalida.com>

Subject: FW: 6907 C.R. 105 - Flour Mill Annex, Zoning, PD & Sub - Agency review

Attached is the agency review for Rob Gartzman's annexation, zoning, Planned Development and Subdivision applications. Please let me know if you have any questions.

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





Right of Way & Permits 1123 West 3rd Avenue Denver, Colorado 80223 Telephone: 303.571.3306 Facsimile: 303.571.3284 Donna.L.George@xcelenergy.com

October 2, 2023

City of Salida 448 East First Street, Suite 112 Salida, CO 81201

Attn: Kristi Jefferson

Re: The Flour Mill

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the plans for **The Flour Mill** Annexation and Zoning. Please be advised that Public Service Company has existing overhead and underground electric distribution facilities within the areas indicated in this proposed rezone. Public Service Company has no objection to this proposed rezone, contingent upon Public Service Company of Colorado's ability to maintain all existing rights and this amendment should not hinder our ability for future expansion, including all present and any future accommodations for natural gas transmission and electric transmission related facilities.

The City of Salida must send us notification after approval of the proposed annexation has been finalized. This notification should be sent to dlAnnexationNotifications@xcelenergy.com. This will allow our mapping department to make the necessary updates to our mapping system.

PSCo requests that the following language or plat note is placed on the preliminary and final plats for the subdivision:

Utility easements are dedicated to the City of Salida for the benefit of the applicable utility providers for the installation, maintenance, and replacement of electric, gas, television, cable, and telecommunications facilities (Dry Utilities). Utility easements shall also be granted within any access easements and private streets in the subdivision. Permanent structures, improvements, objects, buildings, wells, water meters and other objects that may interfere with the utility facilities or use thereof (Interfering Objects) shall not be permitted within said utility easements and the utility providers, as grantees, may remove any Interfering Objects at no cost to such grantees, including, without limitation, vegetation. Public Service Company of Colorado (PSCo) and its successors reserve the right to require additional easements and to require the property owner to grant PSCo an easement on its standard form.

The property owner/developer/contractor must complete the application process for any new electric service, or modification to existing facilities including relocation and/or removal via

<u>xcelenergy.com/InstallAndConnect</u>. It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details. <u>This includes discussions</u> regarding transformer location(s) and issues with the parking lot.

Additional easements may need to be acquired by separate document for new facilities – be sure to contact the Designer and request that they connect with a Right-of-Way and Permits Agent in this event.

As a safety precaution, PSCo would like to remind the developer to contact Colorado 811 for utility locates prior to construction.

Donna George
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: 303-571-3306 – Email: Donna.L.George@xcelenergy.com



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)						
 □ Pre-Annexation Agreement □ Appeal Application (Interpretation) □ Certificate of Approval □ Creative Sign Permit □ Historic Landmark/District 	Administrative Review: (Type) Limited Impact Review: (Type) Major Impact Review: (Type) Other:					
2. GENERAL DATA (To be completed by the applicant)						
A. Applicant Information Name of Applicant: Biker Baker Holdings Rob Galtzman Mailing Address: 315 G St Salida (08120) Telephone Number: 303 903 4620 FAX: Email Address: Coba Sweet Sin Salida (0M) 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 The Flour Mill Name of Development:	19					
Street Address: 6967 CR 105 Silver CO 81201 Legal Description: Lot 3 Block Subdivision Tribe T Minor 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 inform correct to the best of my knowledge.	nation and exhibits herewith submitted are true and					
Signature of applicant/agent Signature of property owner	Date					



ANNEXATION APPLICATION

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

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

A. Development Process

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

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

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

7. Public Notice.

- a) A list shall be submitted by the applicant to the city of adjoining property owners' names and addresses. A property owner is considered adjoining if it is within 175 feet of the subject property regardless of public ways. The list shall be created using the current Chaffee County tax records.
- b) Postage Paid Envelopes. Each name on the list shall be written on a postage-paid envelope. Postage is required for up to one ounce. Return Address shall be: City of Salida, 448 E. First Street, Suite 112, Salida, CO 81201.
- c) Applicant is responsible for posting the property and proof of posting the public notice.
- 8. Petition for Exclusion from the South Arkansas Fire Protection District (optional)
- 9. Notarized Special Fee and Cost Reimbursement Agreement completed

ANNEXATION PETITION

TO THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO, GREETINGS:

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

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

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

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

ANNEXATION PETITION

"INSERT A"

(Description of territory proposed for annexation)

LEGAL DESCRIPTION OF A TRACT OF LAND TO BE ANNEXED

A PARCEL OF LAND LOCATED WITHIN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 49 NORTH, RANGE 9 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, CHAFFEE COUNTY, COLORADO, BEING LOT 3 OF THE TRIPLE T RANCH MINOR SUBDIVISION AND A PORTION OF CHAFFEE COUNTY ROAD NO. 105, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT LOCATED AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY OF VANDAVEER RANCH ROAD AND THE WESTERN RIGHT-OF-WAY OF CHAFFEE COUNTY ROAD NO. 105, SAID POINT BEING MARKED BY A 1½" ALUMINUM CAP STAMPED "LS 16117" AND BEING THE POINT OF BEGINNING;

THENCE SOUTH 78°47'57" WEST ALONG SAID NORTH RIGHT-OF-WAY OF VANDAVEER RANCH ROAD, A DISTANCE OF 221.72 FEET;

THENCE NORTH 12°14'41" WEST, A DISTANCE OF 383.06 FEET;

THENCE NORTH 73°55'54" EAST, A DISTANCE OF 221.81 FEET TO SAID WESTERN RIGHT-OF-WAY OF CHAFFEE COUNTY ROAD NO. 105;

THENCE NORTH 12°48'58" WEST A DISTANCE OF 60.18 FEET;

THENCE NORTH 13°53'16" WEST A DISTANCE OF 268.86 FEET;

THENCE NORTHWESTERLY AND DEFLECTING TO THE LEFT, A DISTANCE OF 169.14 FEET ALONG THE ARC OF A CURVE HAVING A RADIUS OF 820.00 FEET, A DELTA ANGLE OF 11°49'07", A CHORD LENGTH OF 168.84 FEET AND A CHORD BEARING OF NORTH 19°46'48" WEST;

THENCE NORTH 25°25'46" WEST A DISTANCE OF 16.62 FEET, THIS AND THE PREVIOUS 3

COURSES ARE ALONG SAID WESTERN RIGHT-OF-WAY OF CHAFFEE COUNTY ROAD NO. 105;

THENCE SOUTH 88°48'25" EAST A DISTANCE OF 55.88 FEET TO THE EASTERN RIGHT-OF-WAY OF SAID CHAFFEE COUNTY ROAD NO. 105;

THENCE SOUTH 17°20'35" EAST A DISTANCE OF 299.74 FEET;

THENCE SOUTH 14°18'14" EAST A DISTANCE OF 237.32 FEET;

THENCE SOUTH 11°01'56" EAST A DISTANCE OF 251.91 FEET;

THENCE SOUTH $10^{\circ}39'25''$ EAST A DISTANCE OF 180.73 FEET, THIS AND THE PREVIOUS 3 COURSES ARE ALONG SAID EASTERN RIGHT-OF-WAY OF SAID CHAFFEE COUNTY ROAD NO. 105:

THENCE SOUTH $78^{\circ}47'57''$ WEST A DISTANCE OF 47.24 FEET TO SAID WESTERN RIGHT-OF-WAY OF CHAFFEE COUNTY ROAD NO. 105 ;

THENCE NORTH 09°55'44" WEST ALONG SAID WESTERN RIGHT-OF-WAY OF CHAFFEE COUNTY ROAD NO. 105, A DISTANCE OF 66.02 FEET TO THE POINT OF BEGINNING.

CONTAINING 3.10 ACRES.

ANNEXATION PETITION

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

Signature of Petitioners Requesting Annexation to the City of Salida, Colorado	Date of Signature of Each Petitioner	Mailing Address of each Petitioner	Description of Property Included the Area Proposed for Annexation Owned by Each person Signing this Petition. (Attach separate sheet, if necessary)
	8/31/23	8154 St Salida CO 81201	6907 CR 105, Salida CO 81201 6907 CR 105 Salida CO 81201
Sumuty	8(31/23	815 G St Salida CO 81701	6907 CR 105 Salvela 10 Black

Annexation Application Page 5 of 8 02/22/2023

ANNEXATION PETITION

CIRCULATOR'S AFFIDAVIT	
STATE OF COLORADO)	X
) ss. COUNTY OF CHAFFEE)	
i : C / 11	
	says that she/he was the circulator of the above and aid petition are the signatures of the persons whose
	Circulator
Subscribed and sworn to before me this	day of A. D. 20
Witness my hand and official seal. My commi	
withess my hand and official seal. My commi	ssion expires.
	Notary Public

PETITION FOR EXCLUSION OF THE PROPERTY FROM THE SOUTH ARKANSAS FIRE PROTECTION DISTRICT

As an owner of property located in unincorporated Chaffee County, fire protection services are generally provided by the South Arkansas Fire Protection District (SAFPD). These services are supported by a mill levy, specifically for the SAFPD, on your property tax bill. Once a property is annexed into the City of Salida, certain fire protection services will be provided by the City.

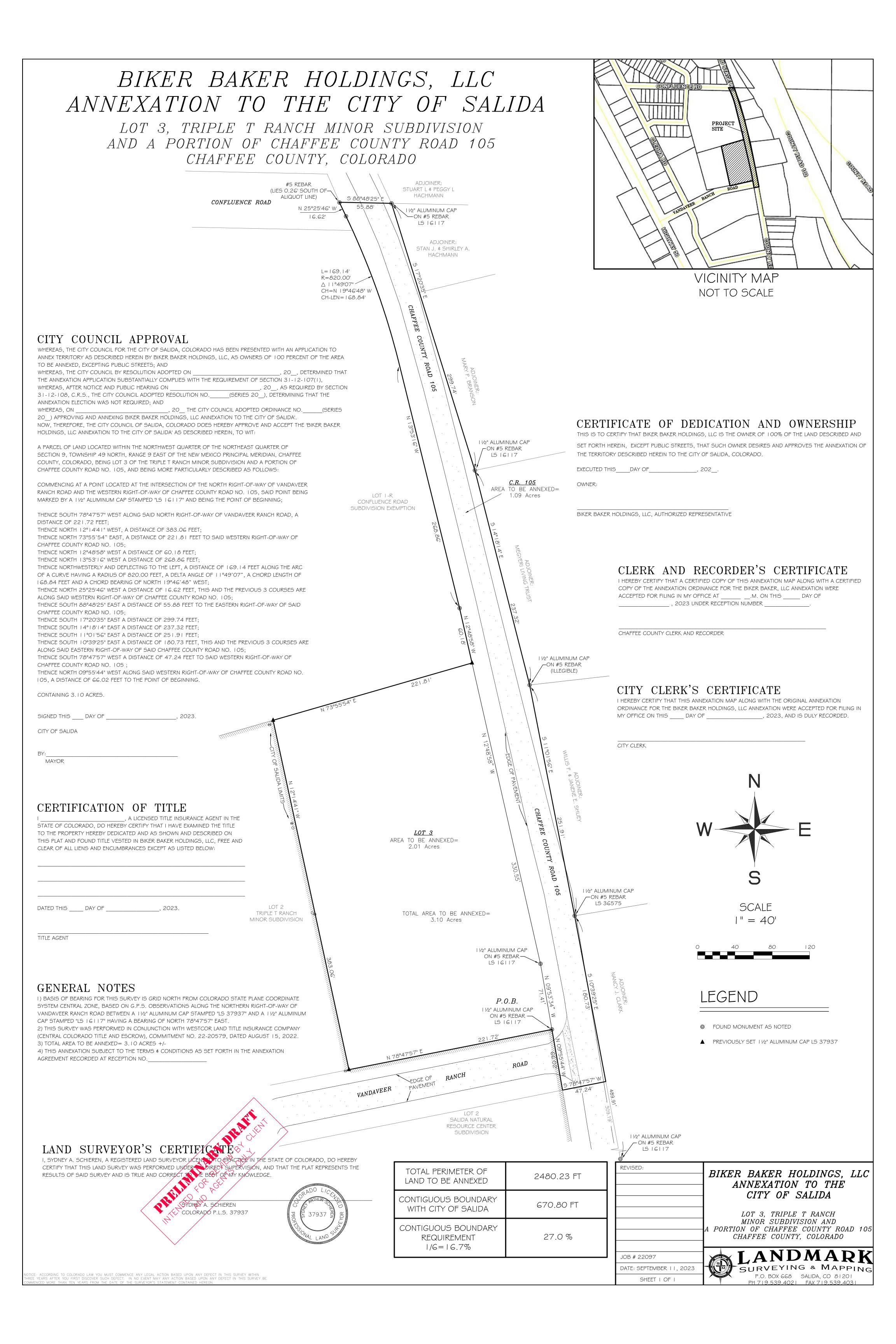
If a property owner annexes into the City and does not petition the SAFPD for exclusion from the district, the property owner(s) will continue to pay real property taxes to South Arkansas Fire Protection District. It is the responsibility of the property owner to request that their land be excluded from the special taxing district during the annexation process. The petition to exclude land from the special taxing district should be submitted to the SAFPD if you would like to have your property considered for exclusion by the South Arkansas Fire Protection District Board.

Petitions need to meet the requirements of Section 32-1501(1), C.R.S., in the following respects:

- A. Include a "legal description of the property"
- B. The petition/request must include notarized signature of the property owner(s)

You may mail or deliver a notarized copy of the request letter along with a full legal description of the property or properties (a copy of vesting deeds(s) will suffice) directly to the District, at 124 E Street, P.O. Box 393, Salida, CO 81201

The District incurs legal fees for exclusions in the range of \$650 - \$1000. A \$500 deposit for legal fees will be required up front.



MINUTES

Email public comments to: planning@cityofsalida.com

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

CALL TO ORDER BY CHAIRMAN - 6:00 PM

October 23, 2023 - 6:00 PM

ROLL CALL

PRESENT

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

ABSENT

Commissioner Brian Colby Commissioner Kenneth Layton

APPROVAL OF THE MINUTES

1. October 10, 2023 - Draft Minutes

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

MOTION PASSED.

UNSCHEDULED CITIZENS- NA

AMENDMENT(S) TO AGENDA- NA

PUBLIC HEARINGS

Public Hearings will follow the following procedure:

A. Open Public Hearing E. Public Input

B. Proof of PublicationC. Staff Review of Application/ProposalF. Close Public HearingG. Commission Discussion

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

- 2. Flour Mill Annexation The applicant, Biker Baker LLC, represented by Rob Gartzman submitted a complete application to annex the property located at 6907 County Road 105 on September 13, 2023 along with an application for Zoning to be considered during a separate hearing.
 - A. Open Public hearing 6:02 pm
 - B. Proof of Publication -
 - **C. Staff Review–** Planner Jefferson reviewed the application.
 - **D. Applicant's Presentation-** Mark Gartzman was present in person. Rob Gartzman and Jordan Yoder were present online.

- E. Public Input Deb Coquoz-Shuey spoke during Public Input.
- F. Close Public Hearing 6:21 pm
- G. Commissioner Discussion -
- H. Commission Recommendation -

Motion made by Vice-Chair Bomer to recommend City Council approve the proposed Flour Mill Annexation as it meets the findings of fact for annexation subject to the following recommended conditions to be included in the annexation agreement as stated by staff. First, that the new residential units constructed on the property shall meet the inlcusionary housing requirements of Article XIII of Chapter 16 of the Salida Municipal Code at the time of building permit submittal. That two, the residential dwelling units constructed on the property shall meet the requirements of Land Use Code Sec. 16-6-140, Fair Contributions to Public School Sites at the time of issuance of building permit and three, the Fees in Lieu of open space whall be provided, in an amount then in effect, at the time of issuance of a building permit for new residential units constructed on the property,

Seconded by Commissioner Walker.

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

THE MOTION PASSED.

- 3. Flour Mill Zoning The applicant, Biker and Baker Holdings, is requesting a zoning designation of High Density Residential (R-3) should the property located at 6907 C.R. 105 be annexed.
 - A. Open Public hearing 6:23 pm
 - B. Proof of Publication -
 - C. Staff Review- Planner Jefferson reviewed the application.
 - **D. Applicant's Presentation-** Mark Gartzman was present in person. Rob Gartzman and Jordan Yoder were present online.
 - E. Public Input Ned Suesse, Steve Shuey and Curt Shuey spoke during Public Input.
 - F. Close Public Hearing 6:34 pm
 - G. Commissioner Discussion -
 - H. Commission Recommendation -

Motion made by Vice-Chair Bomer to recommend City Council approve the proposed zoning of the Flour Mill Annexation site to High-Density Residential (R-3) Zone District, as it meets the review standards for a zoning/rezoning, Seconded by Commissioner Kriebel.

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

THE MOTION PASSED.

4. Major Impact Review - Flour Mill Planned Development and Major Subdivision - Following approval of the Flour Mill Annexation of the 2-acre property into the City of Salida, and zoning of High-Density Residential (R-3) the applicant, Biker Baker Holdings, is requesting approval of a Major Impact Review for a Planned Development Overlay and Major Subdivision of the property located at 6907 C.R. 105. Below are the requests:

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

- · Lots 11 and 12 will have frontage off of the private parking lot and not a public street
- · Increased density
- Increased height allowed for Lots 10, 11 and 13
- Reduced minimum lot size for Lots 1, 2, 3 and 4

- · Reduced minimum lot frontage for the single-family and Laundromat lots
- Reduced minimum setbacks reduced minimum front and rear setbacks
- Increased maximum Lot Coverage with structures for Lots 10, 11 and 13
- Increased maximum Lot Coverage for uncovered parking/access for Lot 14 (parking lot)
- Reduced minimum Landscape area for Lot 14
- · Modified Schedule of Uses

The applicant is proposing to deed restrict 50% of the units within the development.

- A. Open Public hearing 6:37 pm
- B. Proof of Publication -
- C. Staff Review- Planner Jefferson reviewed the application.
- **D. Applicant's Presentation-** Rob Gartzman, applicant, Ken Puncerelli and Jordan Yoder, architects, spoke on the application online.
- **E. Public Input –** Ned Suesse, Mary Branson, Suzette Megyeri, Simonne Laylin, Deb Coquoz-Shuey, Steve Shuey, Shawn Shuey, Curt Shuey, Wayles Martin, Eric Warner, Kristen Homer, "Salty" Riggs, Abby Peters, Mark Gartzman, and Lee Shuey spoke during Public Input.
- F. Close Public Hearing -7:52 pm

Commission took a brief recess at 7:52 pm and returned at 8:00 pm.

- G. Commissioner Discussion -
- H. Commission Recommendation -

Motion to continue until the next regular meeting on November 27th made by Vice-Chair Bomer, Seconded by Commissioner Kriebel.

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

THE MOTION PASSED.

B: Approval of a Major Subdivision to subdivide the above-described property into 12 residential lots, one (1) lot for a laundromat and one (1) lot for the HOA maintained parking lot.

Motion to continue until the next regular meeting on November 27th made by Vice-Chair Bomer, Seconded by Commissioner Walker.

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

THE MOTION PASSED.

UPDATES: Community Development Director Almquist provided updates.

COMMISSIONERS' COMMENTS

ADJOURN With no further business to come before the Commission, the meeting adjourned at 8:46 p.m



DEPARTMENT	PRESENTED BY	DATE
Planning	Kristi Jefferson - Senior Planner	November 21, 2023

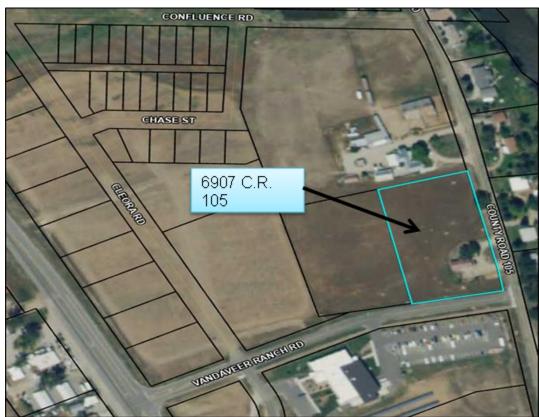
ITEM

Ordinance 2023-18: First reading and setting a public hearing on proposed zoning of High Density Residential (R-3) for the Flour Mill Annexation.

BACKGROUND

Following approval of the Flour Mill Annexation of the two (2) acre property into the City of Salida, the applicant Biker Baker LLC, represented by Rob Gartzman has requested a designation of the High Density Residential (R-3) zone district. The area annexed must be brought under the municipality's zoning ordinance within 90 days from the effective date of the annexation ordinance.

The property is located along County Road 105 and Vandaveer Ranch Road, as shown on the map below.

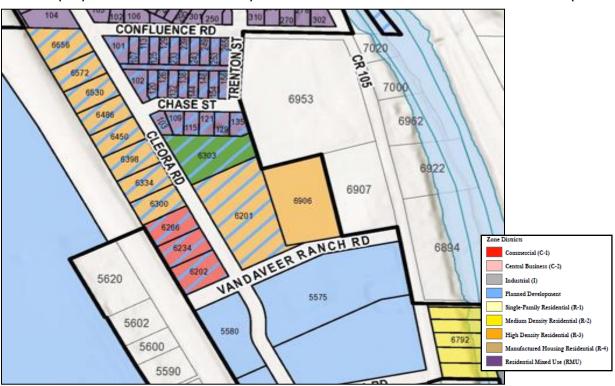


A complete legal description is shown as exhibit A with the annexation application.



DEPARTMENT	PRESENTED BY	DATE
Planning	Kristi Jefferson - Senior Planner	November 21, 2023

Surrounding Land Use and Zoning: The site is currently zoned RES (Residential Zone District) in Chaffee County. The properties to the north and east remain in Chaffee County and are also zoned RES. The properties to the west are within the city limits and are zoned High Density Residential (R-3) and the properties to the south are part of the Vandaveer Ranch Planned Development.



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

- 1. Consistent with Comprehensive Plan. The proposed amendment shall be consistent with the Comprehensive Plan.
 - ➤ The Comprehensive Plan includes the goals that new projects should complement the neighborhood's mass and scale; be focused within the Municipal Services Area (MSA) and be developed at maximum densities to make the best use of available infrastructure.
 - > The zoning of R-3 would be consistent with the zoning found in the adjacent properties and would continue the regular pattern of zone district application.



DEPARTMENT	PRESENTED BY	DATE
Planning	Kristi Jefferson - Senior Planner	November 21, 2023

- **2.** Consistency with Purpose of Zone District. The proposed amendment shall be consistent with the purpose of the zone district to which the property is to be designated.
 - ➤ Per the land use code, the purpose of the High-Density Residential (R-3) zone district is to provide for relatively high-density duplex and multi-family residential areas, including primarily triplex, townhouse and apartment uses. Complementary land uses may also include such supporting land uses as parks, schools, churches, home occupations or day care, amongst other uses.
 - ➤ The 6907 C.R. 105 property has a single-family manufactured home which will be removed prior to development of the site.
 - ➤ The owner has submitted applications for a Planned Development Overlay and Major Subdivision for the development of the property. At their October 23rd meeting, the Planning Commission continued the public hearing on the Planned Development and Major Subdivision to November 27, 2023. Those two matters will therefore be forthcoming in the form of a subsequent public hearing in front of City Council in the near future.
 - ➤ With the inclusionary housing density incentive this property is allowed 41 units of density within the R-3 zone district.
 - Staff supports the request to zone the subject property as High-Density Residential (R-3).
- 3. Compatibility with Surrounding Zone Districts and Uses. The development permitted by the proposed amendment shall be compatible with surrounding zone districts, land uses and neighborhood character.
 - ➤ The zoning classification of High Density (R-3) is consistent and compatible with the zoning of the adjoining 6906 Vandaveer Ranch Road property.
- 4. Changed Conditions or Errors. The applicant shall demonstrate that conditions affecting the subject parcel or the surrounding neighborhood have changed, or that due to incorrect assumptions or conclusions about the property, one (1) or more errors in the boundaries shown on the Official Zoning Map have occurred.



DEPARTMENT	PRESENTED BY	DATE
Planning	Kristi Jefferson - Senior Planner	November 21, 2023

➤ The proposed zoning is occurring because of the requirement to zone the property when annexed into the City in accordance with Section 16-4-50 of the Land Use and Development Code.

PLANNING COMMISSION RECOMMENDATION

A public hearing with the Planning Commission was held October 23, 2023, and the Commission recommended Council approve the proposed zoning of the site as High Density Residential (R-3).

STAFF RECOMMENDATION

Staff recommends approval of the proposed zoning of the Flour Mill Annexation site as High Density Residential (R-3).

SUGGESTED MOTION

A council person should make the motion to "approve Ordinance 2023-18 on first reading and set the second reading and public hearing for December 5, 2023."

Attachments: Ordinance 2023-18

Application materials

CITY OF SALIDA, COLORADO ORDINANCE NO. 18 SERIES OF 2023

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

WHEREAS, on September 13, 2023, representatives of the Flour Mill, filed a General Development Application (the "Petition") to commence proceedings to annex to the City of Salida (the "City") a certain unincorporated tract of land comprised of 2 acres located at 6907 C.R. 105 in the County of Chaffee, State of Colorado (the "Property"), and being more particularly described on Exhibit A, attached hereto and incorporated herein by reference; and

WHEREAS, by Ordinance No.17, Series of 2023 the City of Salida annexed the Flour Mill Annexation to the City; and;

WHEREAS, Petitioner has filed an application to zone the Property within the High Density Residential (R-3) zone district, and on October 23, 2023 the City of Salida Planning Commission considered the zoning application for the Property at a duly noticed public hearing and recommended that the City Council zone it as High Density Residential (R-3); and

WHEREAS, as required by the Salida Municipal Code, the public hearing on the zoning application for the Flour Mill Annexation will be held on December 5, 2023 at a regularly scheduled meeting of the Salida City Council.

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

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

INTRODUCED ON FIRST READING, on November 21, 2023, ADOPTED and set for second reading and public hearing on the 5th day of December, 2023.

	CITY OF SALIDA, COLORADO
[SEAL]	Dan Shore, Mayor
ATTEST:	
City Clerk/Deputy Clerk	
	fountain Mail after First Reading on the day of, day of, after final adoption on the day of,
	City Clerk/Deputy City Clerk

EXHIBIT A

LEGAL DESCRIPTION OF A TRACT OF LAND TO BE ANNEXED

A PARCEL OF LAND LOCATED WITHIN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 49 NORTH, RANGE 9 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, CHAFFEE COUNTY, COLORADO, BEING LOT 3 OF THE TRIPLE T RANCH MINOR SUBDIVISION AND A PORTION OF CHAFFEE COUNTY ROAD NO. 105, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT LOCATED AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY OF VANDAVEER RANCH ROAD AND THE WESTERN RIGHT-OF-WAY OF CHAFFEE COUNTY ROAD NO. 105, SAID POINT BEING MARKED BY A 1½" ALUMINUM CAP STAMPED "LS 16117" AND BEING THE POINT OF BEGINNING;

THENCE SOUTH 78°47'57" WEST ALONG SAID NORTH RIGHT-OF-WAY OF VANDAVEER RANCH ROAD, A DISTANCE OF 221.72 FEET;

THENCE NORTH 12°14'41" WEST, A DISTANCE OF 383.06 FEET;

THENCE NORTH 73°55'54" EAST, A DISTANCE OF 221.81 FEET TO SAID WESTERN RIGHT-OF-WAY OF CHAFFEE COUNTY ROAD NO. 105;

THENCE NORTH 12°48'58" WEST A DISTANCE OF 60.18 FEET;

THENCE NORTH 13°53'16" WEST A DISTANCE OF 268.86 FEET;

THENCE NORTHWESTERLY AND DEFLECTING TO THE LEFT, A DISTANCE OF 169.14 FEET ALONG THE ARC OF A CURVE HAVING A RADIUS OF 820.00 FEET, A DELTA ANGLE OF 11°49'07", A CHORD LENGTH OF 168.84 FEET AND A CHORD BEARING OF NORTH 19°46'48" WEST;

THENCE NORTH 25°25'46" WEST A DISTANCE OF 16.62 FEET, THIS AND THE PREVIOUS 3 COURSES ARE ALONG SAID WESTERN RIGHT-OF-WAY OF CHAFFEE COUNTY ROAD NO. 105:

THENCE SOUTH 88°48'25" EAST A DISTANCE OF 55.88 FEET TO THE EASTERN RIGHT-OF-WAY OF SAID CHAFFEE COUNTY ROAD NO. 105;

THENCE SOUTH 17°20'35" EAST A DISTANCE OF 299.74 FEET;

THENCE SOUTH 14°18'14" EAST A DISTANCE OF 237.32 FEET;

THENCE SOUTH 11°01'56" EAST A DISTANCE OF 251.91 FEET;

THENCE SOUTH 10°39'25" EAST A DISTANCE OF 180.73 FEET, THIS AND THE PREVIOUS 3 COURSES ARE ALONG SAID EASTERN RIGHT-OF-WAY OF SAID CHAFFEE COUNTY ROAD NO. 105;

THENCE SOUTH 78°47'57" WEST A DISTANCE OF 47.24 FEET TO SAID WESTERN RIGHT-OF-WAY OF CHAFFEE COUNTY ROAD NO. 105;

THENCE NORTH 09°55'44" WEST ALONG SAID WESTERN RIGHT-OF-WAY OF CHAFFEE COUNTY ROAD NO. 105, A DISTANCE OF 66.02 FEET TO THE POINT OF BEGINNING.

CONTAINING 3.10 ACRES.

Also known by the following address:

6907 County Road 105, Salida, CO 81201

And assessor's schedule or parcel number: 380709100072



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 ☐ Administrative Review: ☐ Pre-Annexation Agreement (Type)_ ☐ Appeal Application (Interpretation) ☐ Limited Impact Review: ☐ Certificate of Approval ☐ Creative Sign Permit (Type) ☐ Historic Landmark/District Major Impact Review: ☐ License to Encroach ☐ Text Amendment to Land Use Code ☐ Watershed Protection Permit ☐ Other: ☐ Conditional Use 2. GENERAL DATA (To be completed by the applicant) A. Applicant Information Mailing Address: Telephone Number: <u>50</u> Email Address: 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: Subdivision 10 ple 1 Min Legal Description: Lot Block 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

Zoning Application Narrative

We are applying for our annexed property to be zoned with an R-3 designation. The other properties along Vandaveer Ranch Road have already been given R-3 zoning and this would allow for the zoning to be consistent throughout the street and neighborhood. We are also applying for a high-density development, as a Planned Development.

Rob Gartzman

MINUTES

Email public comments to: planning@cityofsalida.com

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

CALL TO ORDER BY CHAIRMAN - 6:00 PM

October 23, 2023 - 6:00 PM

ROLL CALL

PRESENT

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

ABSENT

Commissioner Brian Colby Commissioner Kenneth Layton

APPROVAL OF THE MINUTES

1. October 10, 2023 - Draft Minutes

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

MOTION PASSED.

UNSCHEDULED CITIZENS- NA

AMENDMENT(S) TO AGENDA- NA

PUBLIC HEARINGS

Public Hearings will follow the following procedure:

A. Open Public Hearing E. Public Input

B. Proof of PublicationC. Staff Review of Application/ProposalF. Close Public HearingG. Commission Discussion

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

- 2. Flour Mill Annexation The applicant, Biker Baker LLC, represented by Rob Gartzman submitted a complete application to annex the property located at 6907 County Road 105 on September 13, 2023 along with an application for Zoning to be considered during a separate hearing.
 - A. Open Public hearing 6:02 pm
 - B. Proof of Publication -
 - **C. Staff Review–** Planner Jefferson reviewed the application.
 - **D. Applicant's Presentation-** Mark Gartzman was present in person. Rob Gartzman and Jordan Yoder were present online.

- E. Public Input Deb Coquoz-Shuey spoke during Public Input.
- F. Close Public Hearing 6:21 pm
- G. Commissioner Discussion -
- H. Commission Recommendation -

Motion made by Vice-Chair Bomer to recommend City Council approve the proposed Flour Mill Annexation as it meets the findings of fact for annexation subject to the following recommended conditions to be included in the annexation agreement as stated by staff. First, that the new residential units constructed on the property shall meet the inlcusionary housing requirements of Article XIII of Chapter 16 of the Salida Municipal Code at the time of building permit submittal. That two, the residential dwelling units constructed on the property shall meet the requirements of Land Use Code Sec. 16-6-140, Fair Contributions to Public School Sites at the time of issuance of building permit and three, the Fees in Lieu of open space whall be provided, in an amount then in effect, at the time of issuance of a building permit for new residential units constructed on the property,

Seconded by Commissioner Walker.

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

THE MOTION PASSED.

- 3. Flour Mill Zoning The applicant, Biker and Baker Holdings, is requesting a zoning designation of High Density Residential (R-3) should the property located at 6907 C.R. 105 be annexed.
 - A. Open Public hearing 6:23 pm
 - B. Proof of Publication -
 - C. Staff Review- Planner Jefferson reviewed the application.
 - **D. Applicant's Presentation-** Mark Gartzman was present in person. Rob Gartzman and Jordan Yoder were present online.
 - E. Public Input Ned Suesse, Steve Shuey and Curt Shuey spoke during Public Input.
 - F. Close Public Hearing 6:34 pm
 - G. Commissioner Discussion -
 - H. Commission Recommendation -

Motion made by Vice-Chair Bomer to recommend City Council approve the proposed zoning of the Flour Mill Annexation site to High-Density Residential (R-3) Zone District, as it meets the review standards for a zoning/rezoning, Seconded by Commissioner Kriebel.

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

THE MOTION PASSED.

4. Major Impact Review - Flour Mill Planned Development and Major Subdivision - Following approval of the Flour Mill Annexation of the 2-acre property into the City of Salida, and zoning of High-Density Residential (R-3) the applicant, Biker Baker Holdings, is requesting approval of a Major Impact Review for a Planned Development Overlay and Major Subdivision of the property located at 6907 C.R. 105. Below are the requests:

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

- · Lots 11 and 12 will have frontage off of the private parking lot and not a public street
- · Increased density
- Increased height allowed for Lots 10, 11 and 13
- Reduced minimum lot size for Lots 1, 2, 3 and 4

- · Reduced minimum lot frontage for the single-family and Laundromat lots
- Reduced minimum setbacks reduced minimum front and rear setbacks
- Increased maximum Lot Coverage with structures for Lots 10, 11 and 13
- Increased maximum Lot Coverage for uncovered parking/access for Lot 14 (parking lot)
- Reduced minimum Landscape area for Lot 14
- · Modified Schedule of Uses

The applicant is proposing to deed restrict 50% of the units within the development.

- A. Open Public hearing 6:37 pm
- B. Proof of Publication -
- C. Staff Review- Planner Jefferson reviewed the application.
- **D. Applicant's Presentation-** Rob Gartzman, applicant, Ken Puncerelli and Jordan Yoder, architects, spoke on the application online.
- **E. Public Input –** Ned Suesse, Mary Branson, Suzette Megyeri, Simonne Laylin, Deb Coquoz-Shuey, Steve Shuey, Shawn Shuey, Curt Shuey, Wayles Martin, Eric Warner, Kristen Homer, "Salty" Riggs, Abby Peters, Mark Gartzman, and Lee Shuey spoke during Public Input.
- F. Close Public Hearing -7:52 pm

Commission took a brief recess at 7:52 pm and returned at 8:00 pm.

- G. Commissioner Discussion -
- H. Commission Recommendation -

Motion to continue until the next regular meeting on November 27th made by Vice-Chair Bomer, Seconded by Commissioner Kriebel.

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

THE MOTION PASSED.

B: Approval of a Major Subdivision to subdivide the above-described property into 12 residential lots, one (1) lot for a laundromat and one (1) lot for the HOA maintained parking lot.

Motion to continue until the next regular meeting on November 27th made by Vice-Chair Bomer, Seconded by Commissioner Walker.

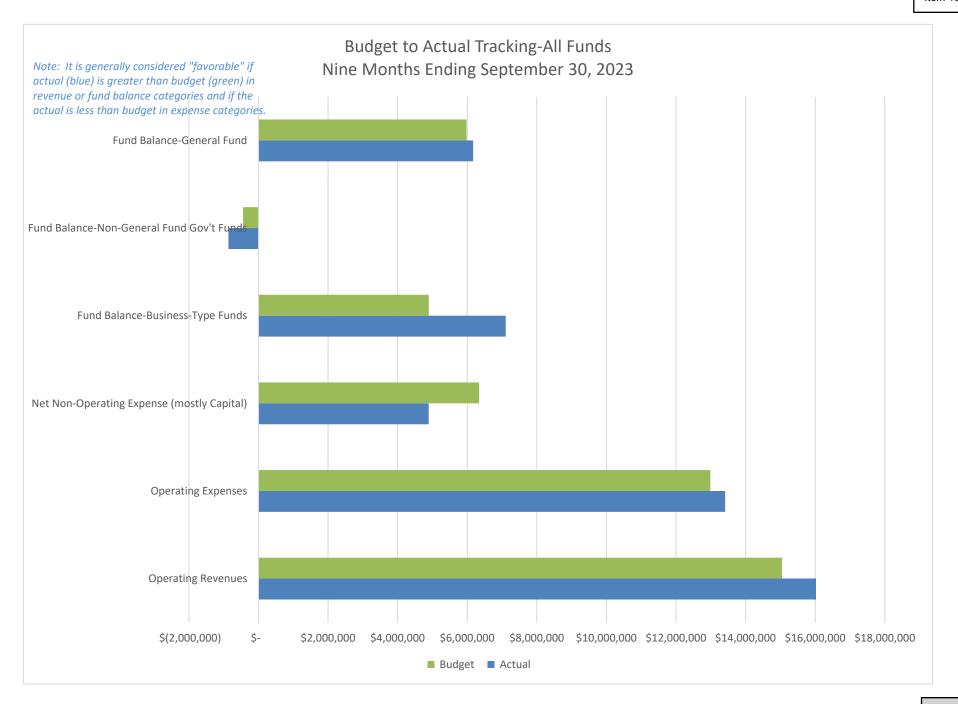
Voting Yea: Chairman Follet, Vice-Chair Bomer, Commissioner Kriebel, Commissioner Dockery, Commissioner Kriebel, Commissioner Derwingson, Alternate Commissioner Bush

THE MOTION PASSED.

UPDATES: Community Development Director Almquist provided updates.

COMMISSIONERS' COMMENTS

ADJOURN With no further business to come before the Commission, the meeting adjourned at 8:46 p.m



City of Salida Budget Tracking Analysis

Combined Funds: General and Lodging Tax Funds

Nine Months Ending September 30, 2023

VTD Budget

Percentage of year passed:

75%

							,	TD Budget Variance			
		YTD Sept	YTD Sept		CD Decidence *		-	avorable	A	.al Dudwat	0/ 0
4	On anothing Developed	2022	2023	Y I	D Budget *		(UI	nfavorable)	Ant	ual Budget	% Spent
1	Operating Revenues Tax Revenue (Sales, Lodging, Franchise fees)	¢ 4 626 020	¢ 4607.066	œ.	4 946 E46	(1)	¢.	(120 EEO)	¢.	6 240 262	73.8%
2	Fees for General Services	\$ 4,636,930 135,281	\$ 4,687,966 110,395	Ф	4,816,516 140,794	(1)	Ф	(128,550)	Ф	6,348,363 187,800	73.6% 58.8%
4	Fines & Forfeitures	28,791	36,374		40,794			(30,399) (4,110)		54,000	56.6% 67.4%
5	Licenses and Permits	93,191	24,920		63,575			(38,655)		84,800	29.4%
6		2,812,526	24,920		2,797,593			80,893		3,605,788	29.4% 79.8%
7	County sales tax and other intergovernmental revenue Fees for Recreation & Event Services	758,292	882,690		737,480			145,210		983,700	79.6% 89.7%
8	Miscellaneous Revenue	172,657	334,042		164,784			169,258		219,800	152.0%
9	Total Operating Revenues	8,637,668	8,954,873		8,761,226			193,647		11,484,251	78.0%
9	Total Operating Revenues	0,037,000	0,954,073		0,701,220			193,047		11,404,201	76.0%
10	Operating Expenses										
11	Cost of Sales	122,070	120,550		114,330			(6,220)		152,501	79.0%
12	Personnel	5,224,092	5,876,857		5,631,824	(2)		(245,033)		7,766,135	75.7%
13	Contracted Services	705,188	829.997		1,021,893	(2)		191.896		1,344,550	61.7%
14	Supplies & Materials	327,786	354,194		319,672			(34,522)		426,400	83.1%
15	Utilities	307,666	376,652		364,714			(11,938)		486,480	77.4%
16	Other Operating Costs ^	1,084,416	1,550,813		1,513,586	(3)		(37,227)		2,028,026	76.5%
17	Financing Obligations	207,047	177,900		163,496	(4)		(14,404)		218,082	81.6%
18	Total Operating Expenses	7,978,265	9,286,963		9,129,515	(. /		(157,448)		12,422,174	74.8%
	Total operating Expenses	.,0.0,200	0,200,000		0,120,010			(101,110)		,,	1 11070
19	Revenues over (under) expenses-operating only	\$ 659,403	\$ (332,090)	\$	(368,289)		\$	36,199	\$	(937,923)	35.4%
20	Non Operating Revenue and Expense ∼										
21	Capital Revenue	19,314	81,199		7,497			73,702		10,000	812.0%
22	Grant Revenue	815,807	14,999		29,988			(14,989)		110,000	13.6%
23	Net Transfers out (transfer made at year end)							- ,		(1,012,000)	0.0%
24	Capital Expenditures (\$500 - \$4,999)	(239,566)	(174,415)		(170,857)			(3,558)		(227,900)	76.5%
25	Capital Purchases & Improvements (\$5,000 +)	(116,734)	(249,282)		(352,359)			103,077		(470,000)	53.0%
26	Total (net) Non Operating Revenues & Expenses	\$ 478,821	\$ (327,499)	\$	(485,731)		\$	158,232	\$	(1,589,900)	20.6%
27	Revenues over (under) expenses	1,138,224	(659,589)		(854,020)			194,431		(2,527,823)	
	Fund Balance at 1/1/23	1,130,224			, ,	1		134,431		,	
28 29			6,830,231 \$ 6,170,642	\$	6,830,231 5,976,211			194,431	\$	6,830,231	
29	Fund Balance at period end		φ 0,170,042	Þ	3,370,211			194,431	φ	4,302,408	

^{*} YTD budget spread evenly throughout year except as noted in (1) and (2) below

⁽¹⁾ Tax revenue budget spread in the same (seasonal) proportion as actual collections in previous year.

⁽²⁾ Salaries, FICA tax and retirement benefits within the payroll group are spread over 26 pay periods rather than evenly throughout the year.

⁽³⁾ Airport land purchased early in year, adjusted budget spread to accommodate.

⁽⁴⁾ Financing Obligations budget spread based on when debt payments are due.

[~] Non operating revenues and expenses are related to capital equipment or projects and interfund transfers; expenses can fluctuate greatly from month to month and are difficult to predict timing of.

[^] Operating Costs includes all costs of running government not broken out in other line items to include Airport contribution, community support, staff training, subscriptions, travel costs, Repairs & Maintenance, lease expense, bank fees, advertising, publications, subcriptions, etc.

City of Salida Budget Tracking Analysis

Combined Funds: Streets, Capital Improvement, CTF, Economic Development & Housing

Nine Months Ending September 30, 2023

Percentage of year passed:

75%

		YTD Sept 2022	YTD Sept 2023	Y	TD Budget *		YTD Budget Variance Favorable (Unfavorable)	Δ	Anual Budget	% Spent
1	Operating Revenues									
2	Tax Revenue	\$ 3,025,056	\$ 3,304,071	\$	3,053,416	(1)		\$	4,017,653	82.2%
3	Fees Services	50,867	31,774		22,491		9,283		30,000	105.9%
4	License & Permits	-	226,600		-		226,600		-	
5	Highway Users Tax & other intergovernmental revenues	194,161	216,588		242,152		(25,564)		255,000	84.9%
6	Miscellaneous Revenue	3,648	5,343		-		5,343		4,000	133.6%
7	Total Operating Revenues	\$ 3,273,732	\$ 3,784,376	\$	3,318,059		\$ 466,317	\$	4,306,653	87.9%
	Operating Expenses									
8	Personnel	325,110	384,536		370,375	(2)	(14,161)		510,398	75.3%
9	Contracted Services	470,167	484,643		288,635	` '	(196,008)		385,000	125.9%
10	Supplies & Materials	44,484	36,064		35,236		(828)		47,000	76.7%
11	Other Operating Costs ^	340,734	237,755		267,493		29,738		356,800	66.6%
12	Total Operating Expenses	\$ 1,180,495	\$ 1,142,998	\$	961,739		\$ (181,259)	\$	1,299,198	88.0%
13	Revenues over (under) expenses-operating only	\$ 2,093,237	\$ 2,641,378	\$	2,356,320		\$ 285,058	\$	3,007,455	87.8%
14	Non Operating Revenue and Expense ~									
15	Grant Revenue	52,432			2,698,364		(2,698,364)		3,669,258	0.0%
16	Capital Revenue	26,000					-		15,000,000	
17	Net Transfers In (transfer made at year end)						-		1,012,000	
18	Capital Purchases & Improvements (\$5,000 +)	(3,303,001)	(5,205,360)		(7,198,901)		1,993,541		(23,662,000)	22.0%
19	Total (net) Non Operating Revenues & Expenses	\$ (3,224,569)	\$ (5,205,360)	\$	(4,500,537)		\$ (704,823)	\$	(3,980,742)	130.8%
20	Revenues over (under) expenses	(1,131,332)	(2,563,982)		(2,144,217)		(419,765)		(973,287)	
21	Fund Balance at 1/1/23	(1,131,332)	1,701,357		1,701,357	1	(413,703)	ı	1,701,357	
22	Fund Balance at period end		\$ (862,625)	\$	(442,860)		(419,765)	\$	728,070	
	i and Balance at period ond		Ψ (552,625)	Ψ	(442,000)	-	(-713,703)	Ψ	720,070	

^{*} YTD budget spread evenly throughout year except as noted in (1)

⁽¹⁾ Tax revenue budget spread in the same (seasonal) proportion as actual collections in previous year.

⁽²⁾ Salaries, FICA tax and retirement benefits within the payroll group are spread over 26 pay periods rather than evenly throughout the year.

[~] Non operating revenues and expenses are related to capital equipment or projects including interfund transfers; expenses can fluctuate greatly from month to month and are difficult to predict timing of. 2023 includes the cost of a firestation project that will not begin until later in the year.

[^] Operating Costs includes all costs of running government not broken out in other line items to include Repairs & Maintenance, lease expense, training, subscriptions, etc.

City of Salida Budget Tracking Analysis - Business-Like Fund Types

Combined Funds: Water and Wastewater

VTD D...l...4

Nine Months Ending September 30, 2023

75%

Percentage of year passed:

						YTD Budget Variance		
		YTD Sept	YTD Sept			Favorable		
		2022	2023	YTD Budget *	•	(Unfavorable)	Anual Budget	% Spent
1	Operating Revenues							
2	Fees for General Services	2,864,197	3,174,445	2,839,433	3	335,012	3,787,426	83.8%
3	Miscellaneous Revenue	176,490	95,674	127,824	4	(32,150)	170,500	56.1%
4	Total Operating Revenues	3,040,687	3,270,119	2,967,257	7	302,862	3,957,926	82.6%
_	0 " - 5							
5	Operating Expenses	4 450 040	4 474 000	4.445.00		(00.405)	4 577 740	74.40/
6	Personnel	1,158,816	1,174,206	1,145,02	` '	(29,185)	1,577,740	74.4%
/	Contracted Services	270,778	425,189	378,898		(46,291)	505,400	84.1%
8 9	Supplies & Materials	122,696	113,421	122,95		9,530	164,000	69.2%
•	Utilities Other Creating Costs	162,538	188,594	194,547		5,953	259,500	72.7%
10	Other Operating Costs	313,980	354,219	277,108		(77,111)	369,625	95.8%
11	Financing Obligations	773,320 2.802.128	725,533	775,800	. ,	50,273 (86.831)	1,034,822	70.1%
12	Total Operating Expenses	2,802,128	2,981,162	2,894,33	I	(80,831)	3,911,087	76.2%
13	Revenues over (under) expenses-operating only	\$ 238,559	\$ 288,957	\$ 72,926	3	\$ 216,031	\$ 46,839	616.9%
14	Non Operating Revenue and Expense ~	000.404		224.42	_	4 =00 404	4 0 4 0 0 0 0	0.40 =0/
15	Capital Revenue (dev't fees, financing proceeds)	989,161	2,662,550	934,126		1,728,424	1,246,000	213.7%
16	Grant Revenue	2,137	293,366	524,790	J	(231,424)	700,000	41.9%
17	Capital Expenditures (\$500 - \$4,999)	(1,395)	, , ,	(0.040.50)	2)	(10,985)	(0.754.500)	04.40/
18	Capital Purchases & Improvements (\$5,000 +)	(972,682)	(2,303,420)	(2,812,500	,	509,080	(3,751,500)	61.4%
19	Total (net) Non Operating Revenues & Expenses	\$ 17,221	\$ 641,511	\$ (1,353,584	4)	\$ 1,995,095	\$ (1,805,500)	-35.5%
20	Revenues over (under) expenses	255,780	930,468	(1,280,658	3)	2,211,126	(1,758,661)	
21	Fund Balance at 1/1/21 (Unrestricted)	200,700	6,175,252	6,175,252	,	2,211,120	6,175,252	
22	Fund Balance at period end			\$ 4,894,594	_	2,211,126	\$ 4,416,591	
			. ,,	, ,,,,,,,		,,	, , , , , , , , , , , , ,	

^{*} YTD budget spread evenly throughout year except as noted in (1) and (2)

⁽¹⁾ Salaries, FICA tax and retirement benefits within the payroll group are spread over 26 pay periods rather than evenly throughout the year.

⁽²⁾ Financing Obligations budget spread based on when debt payments are due.

[~] Non operating revenues and expenses are related to capital equipment or projects, expenses can fluctuate greatly from month to month and are difficult to predict timing of.

[^] Operating Costs includes all costs of running government not broken out in other line items to include insurance, repairs & maintenance, lease expense, training, etc.

Item 13.

CITY OF SALIDA, COLORADO CITY SALES TAX AND COUNTY SALES TAX SHARED WITH CITY SEPTEMBER 2023



The City of Salida Sales Tax and Chaffee County Sales Tax report examines tax collections for the month of September 2023, which were remitted to the City of Salida in November 2023.

Summary Results for City and Chaffee County Sales Taxes

September City sales tax collections decreased by <\$45,918> (-5.1%) as compared to September 2022. The City's portion of Chaffee County sales tax collections increased slightly by \$2,530, a 0.8% increase over September 2022. In total, sales tax receipts are 3.5% lower for September but 1.2% higher year-to-date. Actual collections are ahead of budget by 0.8% year-to-date.

Current Month												
September September						2023 - 2022	2023 - 2022		September		2023 Budget	2023 Budget
	_	2023		2022		\$ Change	% Change		2023 Budget		\$ Variance	% Variance
3% City Sales Tax	\$	854,184	\$	900,103	\$	(45,918)	-5.1%	\$	916,594	\$	(62,410)	-6.8%
Shared County Tax	\$	337,087	\$	334,557	\$	2,530	0.8%	\$	327,162	\$	9,925	3.0%
Total	\$	1,191,272	\$	1,234,660	\$	(43,388)	-3.5%	\$	1,243,756	\$	(52,485)	-4.2%
						Year to D	ate					
		YTD		YTD		2023 - 2022	2023 - 2022		YTD	:	2023 Budget	2023 Budget
	_	2023		2022		\$ Change	% Change		2023 Budget		\$ Variance	% Variance
3% Sales Tax	\$	7,232,639	\$	7,202,514	\$	30,125	0.4%	\$	7,267,999	\$	(35,360)	-0.5%
Shared County Tax	\$	2,709,600	\$	2,620,739	\$	88,861	3.4%	\$	2,593,669	\$	115,931	4.5%
Total	\$	9,942,239	\$	9,823,253	\$	118,986	1.2%	\$	9,861,668	\$	80,571	0.8%



Below is the tracking by NAICS industry sector report for the 3% City sales tax collections.

3% City Sales Tax by Industry Sector

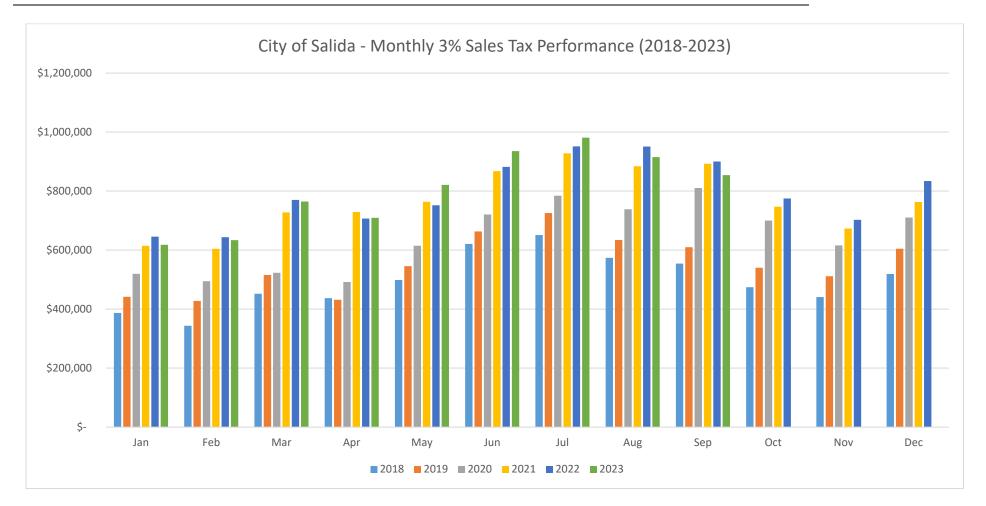
Current Month

Ourient Month										
	S	eptember	Se	eptember	20	23-2022	2023-2022			
NAICS Sector		2023		2022	\$	Change	% Change			
Retail Trade	\$	550,964	\$	585,200	\$	(34,236)	-5.9%			
Accommodation	\$	174,169	\$	173,896	\$	273	0.2%			
and Food Services	9	174,109	9	173,090	Ф	213	0.270			
Manufacturing	\$	20,821	\$	17,239	\$	3,582	20.8%			
Wholesale Trade	\$	30,257	\$	35,078	\$	(4,821)	-13.7%			
Construction	\$	5,724	\$	13,725	\$	(8,001)	-58.3%			
Information	\$	10,994	\$	11,536	\$	(542)	-4.7%			
Real Estate,	\$	12,249	\$	13,994	\$	(1,745)	-12.5%			
Rental & Leasing	Э	12,249	Ф	13,994	φ	(1,745)	-12.570			
All Other	\$	49,006	\$	49,435	\$	(428)	-0.9%			
Total	\$	854,184	\$	900,103	\$	(45,918)	-5.1%			

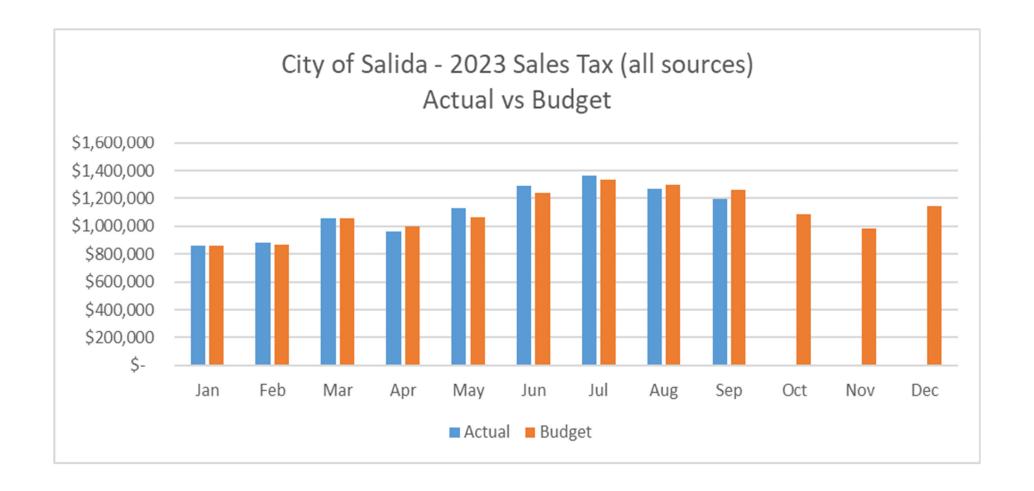
Year to Date

YTD	YTD	20	023-2022	2023-2022		
2023	2022	\$	Change	% Change		
\$ 4,835,289	\$ 4,708,368	\$	126,921	2.7%		
\$ 1,400,529	\$ 1,370,402	\$	30,127	2.2%		
\$ 156,303	\$ 235,843	\$	(79,540)	-33.7%		
\$ 267,311	\$ 239,156	\$	28,155	11.8%		
\$ 43,129	\$ 109,792	\$	(66,663)	-60.7%		
\$ 88,788	\$ 89,868	\$	(1,080)	-1.2%		
\$ 77,418	\$ 81,513	\$	(4,095)	-5.0%		
\$ 363,872	\$ 367,572	\$	(3,700)	-1.0%		
\$ 7,232,639	\$ 7,202,514	\$	30,125	0.4%		

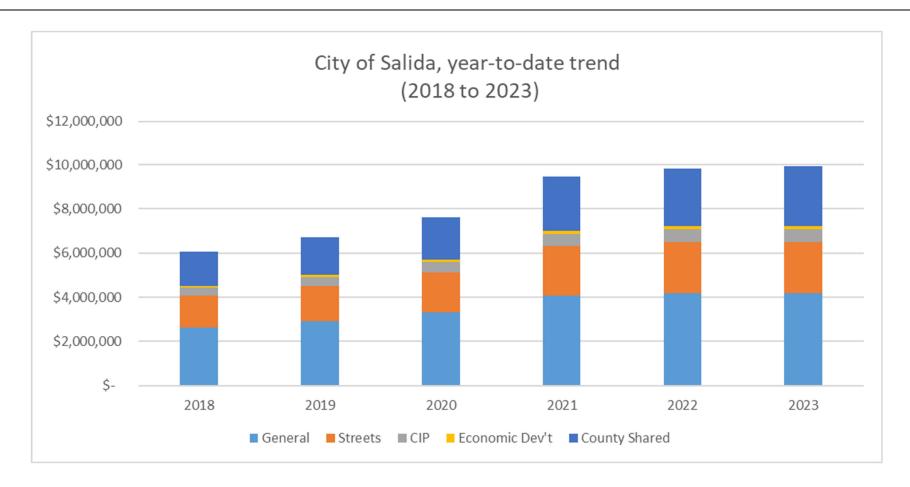




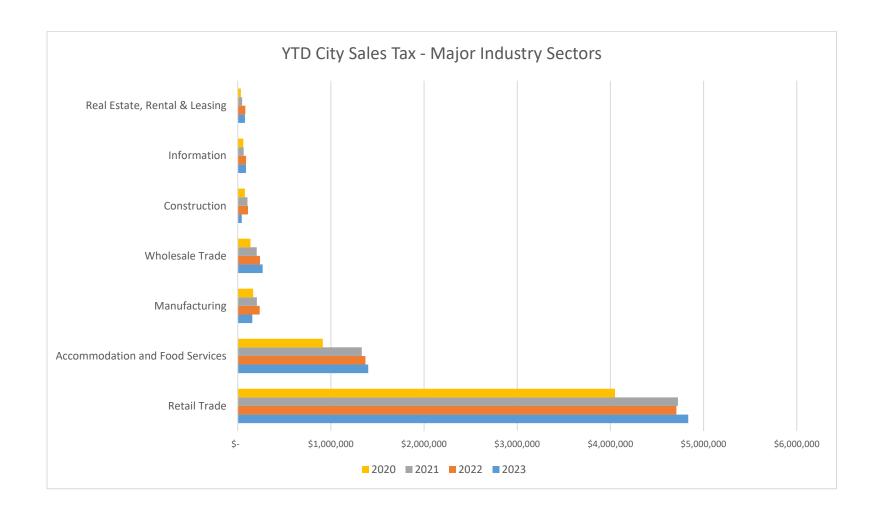














DEPARTMENT	PRESENTED BY	DATE
Administration	Christy Doon - Interim City Administrator	September 19, 2023

Administration and Human Resources

- Completed Leadership Core Competencies training with Employers Council for all supervisors and others in leadership positions.
- Published F Street Plaza Survey. Results are due on November 27th. This item will be brought to the Council for discussion and direction in December.
- Engaged with Interstate Parking to begin establishing a downtown parking plan. This item will be brought to the Council for discussion and direction in December.
- Open enrollment was a success. All employees returned their paperwork!
- A personal "thank you" to the Council Members who will no longer be joining us on Monday and Tuesday evening. Your leadership and guidance have been greatly appreciated.
- A special "Welcome" to the newly elected officials. Please know that my door is always open if there is ever anything you need. I look forward to working with each of you.

Arts and Culture

- The exhibit that debuted in the Paquette Gallery featured the works of local artist Patricia Aguilar. The artist was recognized at the reception held during the monthly Creative Mixer, which was attended by (40) people and featured local musician/artist Stephen Smalzel.
- The third of four First Fridays took place on August 4 in the heart of the Creative District with participation by many of the galleries and stores.
- The performance highlight of the month was six (6) performances of The Little Mermaid by Sventastik Productions, which included both youth and adult casts primarily from local community. The six performances were attended by (1,050) people.
- The SteamPlant and Scout Hut played host venues to many municipal, county, educational and non-profit groups, including Johnston/Van Arsdale/Martin Law Firm, Chaffee County Public Health, City of Salida, Boys & Girls Club, Monarch Mountain, Recycle Colorado, KHEN and Colorado Mountain College. All total the LISTED events/meetings were attended throughout the month by (513).
- TOTAL GUESTS Attending (43) Events/Meetings for October = 2,537
 - Number of free arts and culture events/no admission = 9
 - Number of attendees at free events = 243
 - Number of events paying rental fees = 25
 - Number of entities using the facilities = 31

City Clerk

- The November Court has 48 cases.
- Implemented Court Notify- a texting service through our Court Software.
- Implemented Tyler Content Manager so the Court can become a paper-light Court.
- Presented the Court Annual Review with the Salida Municipal Court Judge.
- Records Training set for staff in January 2024.
- Have processed 91 CORA requests in 2023, still trending upward from previous years.
- Successful 2023 Election, Clerk attended many election processing sessions.
- Working on a new Liquor License for Elevation Beer Company.



DEPARTMENT	PRESENTED BY	DATE
Administration	Christy Doon - Interim City Administrator	September 19, 2023

- Taco El Rey received their Liquor License transfer.
- Attended the Employee's Council training on Leadership.

Community Development

- Building Permits: As of November 15th, we've seen 223 total building permits YTD, inc. 145 new residential
 units. At the same time last year, we had reviewed 164 total permits, inc. 111 new residential units. In 2021, we
 had reviewed 240 total permits, inc. 168 new residential units. We are expecting even more building permits in
 the last month or two of the year as folks attempt to get out in front of the new model building and energy
 codes anticipated to be adopted at the beginning of 2024.
- South Ark Neighborhood Master Plan: The Modification to the existing Vandaveer Ranch Overall Development Plan to implement the preferred master plan alternative for the South Ark Neighborhood is being considered by City Council at the 11/21 hearing, following Planning Commission's recommended approval with some minor amendments. Meanwhile, conversations continue with potential civic and educational partners, especially as we gear up to pursue funding for installing future infrastructure on the site (depending upon approvals) through a variety of grants that are or will be available through the state very soon, including the Strong Communities grant, which we should know if we will be invited to apply for in the next couple of weeks (up to \$4 million grant possible).
- 1st and D Apartments Project: City staff and Artspace have been working with architects and engineers from Cushing Terrell on conceptual design frameworks since CT was brought on board in September. Two open houses were held on October 24th at the Scout Hut and then an online survey matching what was presented at the open houses was circulated until Nov. 12. Approximately 150 responses were received and will be combined with the feedback received in person. We are currently on schedule to have final designs by Spring 2024, with potential construction beginning towards the end of 2024/beginning of 2025, with the help of affordable housing funds, grants, and potentially other loans.
- Land Use Code update: Staff is finishing up final review of Installment 2 of the Land Use Code update (districts, dimensional standards, and uses, etc.) and beginning review of Installment 3 (design standards). This new installment is expected to be made public for review and feedback in the next couple of months prior to a consolidated draft code being created.
- CHFA Landbanking Grant: Staff submitted an application for a Proposition 123 Landbanking grant that would be
 used to help purchase vacant property on the east side that is anticipated be used for both a senior living
 apartment complex and a public park. The remainder of the purchase price could be covered by utilizing
 affordable housing funds, which may be eligible for reimbursement. It is anticipated that the residential project
 would be a low-income housing tax credit (LIHTC) project for seniors with up to approximately 40 units. The
 need for such housing is immense and could perhaps serve our local population within just a couple of years.
 The City of Salida has advanced to the final round of this competitive process and awards are anticipated to be
 announced in January, if not sooner.
- Local Capacity Planning Grant: Staff is also pursuing a grant that could help offset some costs to beef up the department's numbers and to help specifically with meeting the requirements of Proposition 123 commitments and the deluge of applications, permits, and inquiries that we now deal with on a daily basis. This position could



DEPARTMENT	PRESENTED BY	DATE
Administration	Christy Doon - Interim City Administrator	September 19, 2023

also help with the numerous housing-related projects that the City is now engaged in (see above). An LOI for this grant application is due in early December with full applications due in January and awards anticipated in February or March.

Finance

- The Certificates of Participation competitive sale will take place on Monday, November 20 and results will be available in time to discuss at the finance committee meeting on the 21st. In addition to working with Bond Counsel on developing an official statement used for marketing the certificates necessary for financing the fire station, we were rated by S&P. The City received a rating of AA- which is very good!
- The 2024 budget document will be prepared to the same high standard as in years past. The document will be completed in January.
- Kristen Hussey has taken the lead on learning best practices around cyber security and is in the process of developing a policy that will ensure the city's protection against breach is maximized.
- The Finance Office extends a sincere thank you to outgoing Treasurer Merrell Bergin for his hard work overseeing the City financial processes. A big welcome is offered to incoming Treasurer Ben Gilling. We are looking forward to making your service to the City as rewarding as possible!

Fire

- We are currently at 933 incidents for the year. We are up 75 calls from last year through the end of October.
- Sent two staff members to Colorado State EMS conference (EMSAC) to train on a variety of EMS topics.
- Groundbreaking on the new fire station occurred on November 3. The sitework has begun and progress is exciting.
- Had multiple significant motor vehicle accidents that we responded to in October.
- South Arkansas Fire has sent a Type VI Engine to Missouri on a severity assignment. It was redirected to a fire in Alabama.

Park and Recreation

- Aquatics
 - Adjusted holiday hours
 - Closed Thanksgiving Day
 - 11/24, 8am-4pm
 - 11/25, 10:30am-6pm
 - Please be aware of capacity constraints during the busy holiday weekend. There may be times a
 waitlist is in place when the Aquatic Center is at maximum capacity. We only have 2 guards on
 during these times (short-staffed).
 - Fee schedule
 - Exploring increase for private rentals
 - Keep up with gradual increase for membership and pass prices as proposed for the 2022 general increase. - (30% for daily admissions and 10% for passes and memberships in 2022)
 - o Private hot baths now open-let's put some marketing efforts here
 - SHSAC KPI's
 - YTD through end of October



DEPARTMENT	PRESENTED BY	DATE
Administration	Christy Doon - Interim City Administrator	September 19, 2023

- Daily Admissions +10%
- Access scans +38%
- Membership/Access Pass sales +23%

Recreation

- Outreach needed to awarded scholarship recipients. \$7141 that has been allocated but not redeemed.
- New Resource Guide coming in December
- New annual Parks & Recreation 1-page annual calendar
- So far 2023 we've had 1,344 volunteer hours
- Provided training for 83 coaches
- o KPI's
 - YTD through end of October
 - Recreation Program Revenues +36%

Facilities

- Touber Carpet Replacement
- Shed removal to MUF
- Sump Pump and check valve replacement in influent vault
- FIBArk remodel Flooring- Roofing
- o Warm pool chlorinator pump replacement
- Investigating incorrect readings on water testing (total DPD being exposed in the pumproom too long)
- Getting new temporary locations for water testing
- Replacing drivers on a few of the overhead lights. Received the improper drives and the lights have not performed. Just received another set of drivers from a different supplier. Hopefully these will get the lights on full time.
- Fixing the heater in the pumproom
- Finishing demo in the old women's sink area
- Starting to patch in the old women's sink area
- Built shelf for natatorium speaker
- o Power is run for new lock system on doors
- CAT5 cable ran for communications for new door lock system
- Getting new cleaning contractor squared away

Parks

- Snow removal prep
- Scout Hut subfloor work
- Sand digger installation
- o Pickett's memorial bench installation
- New Hire Orientation for Will Morris/Ryan Matthews

Police

We are currently short one position and have two out due to injury. One had surgery for his on duty broken leg
and will be out until late spring. The other officer had a work-related surgery for a broken collarbone. He will be
out for a few months. Luckily, our two that went to the police academy last winter are off training and are doing



DEPARTMENT	PRESENTED BY	DATE
Administration	Christy Doon - Interim City Administrator	September 19, 2023

well on their own. We will be posting our opening in the coming days and have been spreading the word to other agencies in hopes of finding a POST certified candidate.

- We had 740 calls for service in October. This tied February as the lowest number of calls for service for any
 month for the year. However, several of the calls resulted in some lengthy investigations. One particular case
 ended with an arrest report totaling over 25 pages of single-spaced typing. We also had several other incidents
 that resulted in time-consuming investigations.
- We have been working with the school district to improve some of the safety procedures involving the panic buttons and connectivity with the communication center. We were finally able to get the communications center to agree to a new system that should allow for faster response times.

Public Works

- Planning/Engineering/Construction
 - o Planning and Construction
 - General
 - Finalize budget items
 - Streets
 - Oak Street Reconstruction and US-50 SRTS (now anticipated to be 2024)
 - Final plan preparation underway
 - o Met with FD and adjacent properties to finalize driveways
 - Poncha Blvd
 - o Completed paving to Holman Avenue
 - Final clean-up underway. Work at Holman intersection to resume in 2024
 - Utilities
 - Pasquale WTP Project
 - The generator is the only item yet to be completed.
 - Poncha Trunk line: Design complete
 - Other CIP Items:
 - Caboose restoration in progress
 - Recently met with contractor for project inspection and clarifications
 - Undercarriage complete, siding and roof underway, interior remains
 - Multi-use office space addition underway
- Operations
 - Streets
 - Sign improvements
 - Projects at Multi-Use Facility
 - Storm line cleaning with jet truck
 - Utilities
 - Field Utilities
 - Smart meter upgrades
 - Assist with storm line jetting



DEPARTMENT	PRESENTED BY	DATE
Administration	Christy Doon - Interim City Administrator	September 19, 2023

- Jetting and camera inspection of wastewater lines for 2023 underway
 - o 2023 work area is 1/3 of system: Salida west of F St.
- Water Treatment
 - SCADA communications upgrades underway
 - Exterior maintenance projects at multiple locations in progress
- Wastewater Treatment
 - Routine items



Figure 1 - Paving Phase 2 from Grant Ave. to Holman Ave.



Figure 2 - Caboose Restoration in Silverton