



## CITY COUNCIL ACTION FORM

DEPARTMENT	PRESENTED BY	DATE
Planning	Kristi Jefferson - Senior Planner	January 3, 2023

### **ITEM**

Ordinance 2023-02: First reading and setting a public hearing on proposed zoning of High Density Residential (R-3) for the Lundberg/Castro Annexation.

### **BACKGROUND**

The applicants, Karen Lundberg and Virginia Castro, are required to annex their property when eligible as discussed in the Lundberg/Castro Annexation application. The area annexed must be brought under the municipality's zoning ordinance within 90 days from the effective date of the annexation ordinance.

The applicants have requested approval to have each of their lots (.48 acres total) zoned High-Density Residential (R-3), following approval of annexation of the properties into the City of Salida. The properties are located along Scott Street, as shown on the map below.

A complete legal description is shown as exhibit A with the annexation application.

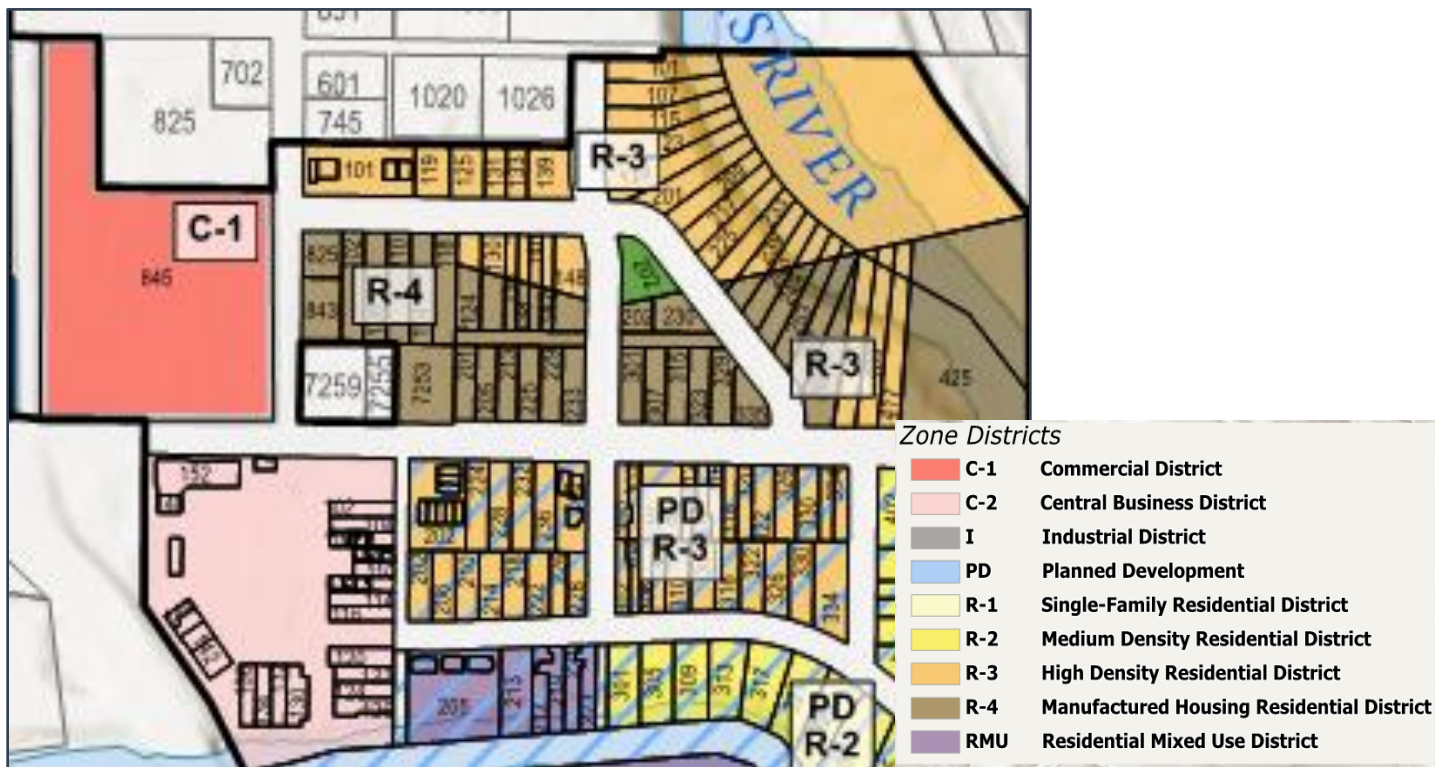




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**Surrounding Land Use and Zoning:** The site is currently zoned RES (Residential Zone District) in Chaffee County. The properties immediately to the north, east and west remain in Chaffee County and are also zoned RES in Chaffee County. The properties to south are within the city limits and are zoned High Density Residential (R-3), Manufactured Housing Residential (R-4) and Commercial (C-1).



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

- 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.



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- The zoning of R-3 would be consistent with the zoning found in the adjacent River Ridge development and would continue the regular pattern of zone district application.
2. Consistency with Purpose of Zone District. The proposed amendment shall be consistent with the purpose of the zone district to which the property is to be designated.
- Per the land use code, the purpose of the 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 601 Scott Street property has a single-family double wide mobile home and a detached garage. The owner has indicated that in the future she is planning to build additional residential units on the .24 acre parcel. Currently, with R-3 zoning this parcel is allowed 4 units of density.
  - The 745 Scott Street property has a single-family dwelling and the owner has stated that she has no development plans at this time. Currently, with R-3 zoning this .24 acre parcel is allowed 4 units of density.
  - 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 River Ridge Subdivision.
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.



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- 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 December 13, 2022 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 Lundberg/Castro Annexation site as High-Density Residential (R-3).

### **SUGGESTED MOTION**

A council person should make the motion to “approve Ordinance 2023-02 on first reading and set the second reading and public hearing for January 17, 2023.”

Attachments: Ordinance 2023-02  
Application materials

**CITY OF SALIDA, COLORADO  
ORDINANCE NO. 02  
SERIES OF 2023**

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

**WHEREAS**, on August 16, 2022, representatives of the Lundberg/Castro Annexation (the “Owners”), 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 .48 acres located at 601 Scott Street and 745 Scott Street, Salida, in the County of Chaffee, State of Colorado, and being more particularly described on Exhibit A, attached hereto and incorporated herein by reference (the “Property”); and

**WHEREAS**, by Ordinance No.01, Series of 2023 the City of Salida annexed the Lundberg/Castro 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 December 13, 2022 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 Lundberg/Castro Annexation will be held on January 17, 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 January 3, 2023, ADOPTED and set for second reading and public hearing on the 17 day of January, 2023.

CITY OF SALIDA, COLORADO

\_\_\_\_\_  
Dan Shore, Mayor

[SEAL]

ATTEST:

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

PUBLISHED IN FULL in the Mountain Mail after First Reading on the \_\_\_\_ day of \_\_\_\_\_, 2023, and BY TITLE ONLY, after final adoption on the \_\_\_\_ day of \_\_\_\_\_, 2023.

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

## **EXHIBIT A**

Beginning at the south-western corner of Lot 1, Peel's Subdivision, from whence the intersection of the north right-of-way of Illinois Avenue and the western right-of-way of Scott Street bears North 17°28'05" west a distance of 182.19 feet;

Thence north 89°07'49" west a distance of 53.84 feet to the western right-of-way of Scott Street;  
Thence along said right-of-way of Scott Street north 00°17'02" west a distance of 172.97 more or less to the intersection of the northern right-of-way of Illinois Avenue, extended westerly;

Thence along said right-of-way of Illinois Avenue extended south 89°20'24" east a distance of 57.51 feet to the eastern right-of-way of Scott Street;

Thence continuing on said right-of-way of Illinois Avenue south 89°20'24" east a distance of 137.82 feet;

Thence south 00°52'59" west a distance of 25.00 feet more or less to the southern right-of-way of Illinois Avenue, and the north-east corner of Lot 3, Peels Subdivision;

Thence south 00°52'59" west a distance of 148.65 feet to the south-east corner of said Lot 1;

Thence north 89°07'49" west along the south line of said Lot 1 a distance of 138.07 feet to the point of beginning.

Also known by the following addresses:

601 Scott Street, Salida, CO 81201

And assessor's schedule or parcel number: 380704300022

745 Scott Street, Salida, CO 81201

And assessor's schedule or parcel number: 380704300029





## GENERAL DEVELOPMENT APPLICATION

448 East First Street, Suite 112

Salida, CO 81201

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

Email: [planning@cityofsalida.com](mailto:planning@cityofsalida.com)

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

- ☒ Annexation
- ☐ Pre-Annexation Agreement
- ☐ Variance
- ☐ Appeal Application
- ☐ 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) \_\_\_\_\_

☐ Other: \_\_\_\_\_

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

#### A. Applicant Information

Name of Applicant: Lundberggardson properties LLC

Mailing Address: Virginia Castro  
601 Archery Lane Salida, CO 81201  
745 Scott St. Salida, CO 81201

Telephone Number: 719-207-2321

FAX: \_\_\_\_\_

970-749-3344

Email Address: KKLundberg@gmail.com

mtgin@hotmail.com

Power of Attorney/ Authorized Representative: \_\_\_\_\_

(Provide a letter authorizing agent to represent you, include representative's name, street and mailing address, telephone number, and FAX)

#### B. Site Data

Name of Development: Lundberg/Castro Annexation + Zoning

Street Address: 601 Scott St, 745 Scott St.

Legal Description: Lot 1-3 Block \_\_\_\_\_ Subdivision Peels (attach description)

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

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

Signature of applicant/agent \_\_\_\_\_

Date

8-16-22

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

Date

8/17/22





## LIMITED IMPACT & MAJOR IMPACT SUBMITTAL REQUIREMENTS

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

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

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

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

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

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

☒ 1. A General Development Application

☒ 2. A copy of a current survey or the duly approved and recorded subdivision plat covering the subject lots where the proposal is for development on previously subdivided or platted lots;

☒ 3. A brief written description of the proposed development signed by the applicant;

☐ 4. Special Fee and Cost Reimbursement Agreement completed. *\*major impact only*

☐ 5. Public Notice.

- a) **List.** A list shall be submitted by the applicant to the city of adjoining property owners' names and addresses. A property owner is considered adjoining if it is within 175 feet of the subject property regardless of public ways. The list shall be created using the current Chaffee County tax records.
- b) **Postage Paid Envelopes.** Each name on the list shall be written on a postage-paid envelope. Postage is required for up to one ounce. Return Address shall be: City of Salida, 448 E. First Street, Suite 112, Salida, CO 81201.
- c) Applicant is responsible for posting the property and submittal of proof of posting the public notice.

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

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

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

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

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

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

(iv) Engineering specifications for any improvements.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1. **Consistency with Comprehensive Plan.** The use shall be consistent with the City's Comprehensive Plan. Our properties are compatible with the Comprehensive plan and the adjoining properties.

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.

Existing S/F on each parcel.

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

3. **Use Appropriate and Compatible.** The use shall be appropriate to its proposed location and be compatible with the character of neighboring uses, or enhance the mixture of complementary uses and activities in the immediate vicinity.

The use is compatible with the existing neighbors.

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.

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.

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.



To Whom it May Concern,

This is a request to be annexed into the city of Salida Colorado for the properties at 745 Scott Street, Salida Colorado (owned by Virginia Castro) and 601 Scott Street, Salida Colorado (Owned by Lundberg and Son Properties, LLC). Both properties are asking for high density Residential (R3) zoning as we believe that is the type of residential property that best fits with surrounding properties and subdivisions.

Thank You,

Karen Lundberg

Virginia Castro