



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 appropriate)

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

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

A. Applicant Information

Name of Applicant: The Sundry LLC

Mailing Address: 135 West First Street, Salida, CO 81201

Telephone Number: (719) 530-1177 FAX: _____

Email Address: nathan@sundrysalida.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: The Sundry

Street Address: 135 West First Street

Legal Description: Lot _____ Block 21 Subdivision Lockett/Sundry (attach description) **Please see attached**

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  Nathan Young Date 1-25-2024
 Signature of property owner _____ Owner & Applicant Date 1-25-2024

Chaffee County, CO

Summary

Parcel Number 368132421002
Account Number R368132421002
Property Address 135 W FIRST ST
 SALIDA, CO
Brief Tax Description LOCKETT/SUNDRY BOUNDARY LINE ADJUSTMENT BLK 21 SALIDA PLAT 486162 REC 473804 486171 EA
 (Note: Not to be used on legal documents)
Class Commercial
Subdivision
Neighborhood 2500
Tax District District 07
Millage Rate 43.576
Acres 0.176791

Owner Name & Mailing Address

Disclaimer: Mailing address is used for Chaffee County ad-valorem taxation purposes.

Sundry LLC The
 Nathan Young
 135 W 1st St
 Salida, CO 81201

Buildings

| | | | |
|----------------------------|------------------|----------------------------|----------------------|
| Occupancy | Retail Store | Roof Type | Flat |
| Built As | Theatre - Motion | Roof Cover | |
| Square Feet | 6700 | Foundation | 24 Concrete |
| Year Built | 1900 | Tot # of Rooms | 0 |
| Adjusted Year Built | 1970 | Bed Rooms | 0 |
| HVAC | Forced Air | Baths | 0 |
| Building Condition | Worn Out | Total Basement Area | 0 |
| Building Quality | Average | ExteriorWall | Masonry Common Brick |
| Interior Stories | 1 | | |

Land

| Description | Acres | Square Footage |
|----------------------|----------|----------------|
| Special Purpose Land | 0.176791 | 7,701.00 |

Valuation

| | 2023 |
|-----------------------------|------------------|
| Land Value | \$364,569 |
| Building Value | \$186,277 |
| Total Value | \$550,846 |
| Assessed Land Value | \$101,710 |
| Assessed Building Value | \$43,600 |
| Total Assessed Value | \$145,310 |
| Estimated Total Taxes | \$6,332.03 |

Appeals

Would you like to submit a petition to the Board of Review for the assessment of this property? [Click Here](#) for more information.

Petition to Board of Review

Recent Sales

Sale date range:

From: 01 / 01 / 2023 To: 01 / 29 / 2024

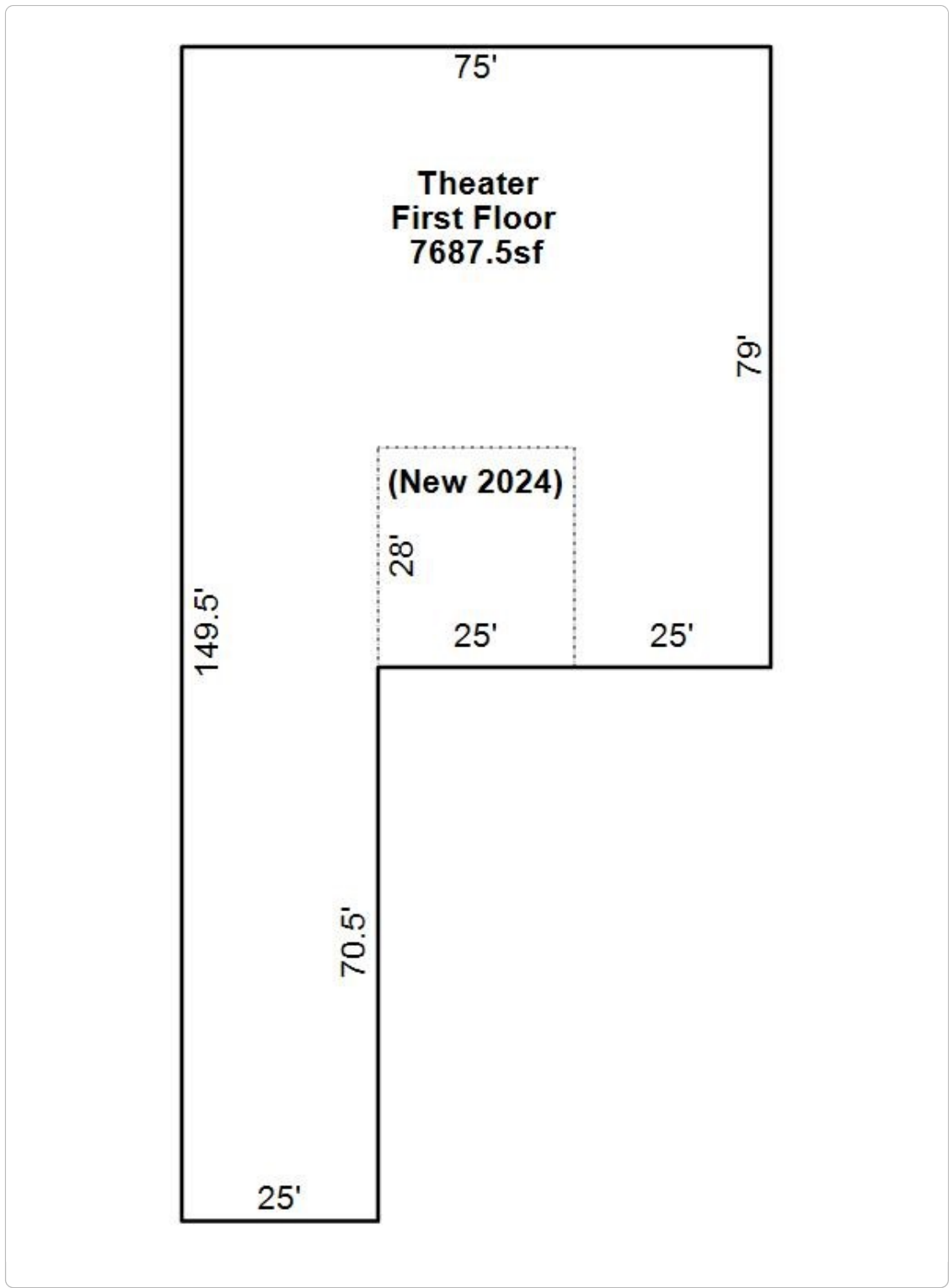
Sales by Neighborhood

1500 Feet Sales by Distance

Sales

| Sale Date | Sale Price | Instrument | Reception Number | Vacant or Improved | Grantor | Grantee |
|------------|------------|--------------------|------------------|--------------------|---|--------------------|
| 03/14/2023 | \$0 | Easement-See Notes | 486171 | Vacant | SUNDRY LLC THE & LOCKETT PROPERTIES LLC | EASEMENT AGREEMENT |

Sketches



Comp Report Generator (Commercial)

Start Comp Search

No data available for the following modules: Related Accounts, Photos, Comp Report Generator (Residential), Comp Report Generator (Vacant Land).

The Chaffee County Assessor's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied are provided for the data herein, its use or interpretation. Data is subject to constant change and its accuracy and completeness cannot be guaranteed.
[User Privacy Policy](#) | [GDPR Privacy Notice](#)
Last Data Upload: 1/26/2024, 7:05:20 PM

Contact Us





VARIANCE APPLICATION

448 East First Street, Suite 112
Salida, CO 81201

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

Email: planning@cityofsalida.com

A. TYPE OF VARIANCE REQUESTED (Fill In Applicable Requests)

1. **Variance from Maximum Height:** Existing Height (in feet): _____ Proposed Height (in feet): 38'/40' elevator only
2. **Minimum Variance from Floor Area:** Required Floor Area: _____ Proposed Floor Area: _____
3. **Variance from Maximum Lot Coverage:** Allowed Lot Coverage: _____ Proposed Lot Coverage: _____
4. **Variance from Parking Requirements:** Existing Spaces: _____ Required Spaces: _____
Total Spaces Proposed: _____ Percent Reduction Proposed: _____
5. **Variance from Minimum Lot Size:** Existing Lot Size: _____ Proposed Lot Size: _____
6. **Variance from Minimum Setback Requirements**
 - a. Setback Variance Information:
 - i. Type of setback: Front yard Rear yard Side yard
 - ii. Which direction: North South East West
 Northeast Northwest Southeast Southwest
 - iii. Type of Building: Principal Accessory Building
 - iv. Current Setback: _____
 - v. Proposed Setback: _____
 - vi. Required Setback: _____
 - b. Second Setback Variance Information (if applicable):
 - i. Type of setback: Front yard Rear yard Side yard
 - ii. Which direction: North South East West
 Northeast Northwest Southeast Southwest
 - iii. Type of Building: Principal Accessory Building
 - iv. Current Setback: _____
 - v. Proposed Setback: _____
 - vi. Required Setback: _____
7. **Variance from Land Use Code Section:** 16-4-180

B. DEVELOPMENT PROCESS (City Code Section 16-4-180)

1. Pre-Application Conference. *Optional*.
2. Submit Application.
3. Staff Review. Schedule Hearing. Forward Report to Applicant and Board.
4. Public Notice Provided For Hearing.
5. Public Hearing Conducted by Board and Action Taken.



C. APPLICATION CONTENTS

A digital copy of all application materials is required.

- ✓ 1. **General Development Application**
- ✓ 2. **Site Plan.** A site plan of the subject property, showing existing and proposed features, buildings, etc. which are relevant to the review of the application. **The copies shall be accepted on 8½" x 11", 11" x 17" or 24"x 36" paper or electronically.**
- ✓ 3. **Required Showing.** The applicant shall indicate the way the proposal meets the required showing as outlined in the application.
- ✓ 4. **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.
- ✓ 5. **Application Fee:** According to current adopted fee schedule.

D. REQUIRED SHOWING (If necessary, attach additional sheets)

Variance Approval Criteria. Variances from requirements of this Chapter shall be considered an extraordinary remedy. When considering, reviewing and deciding on whether to approve a variance application, the Board of Adjustment must find that all of the following criteria have been met:

1. Special Circumstances Exist. Strict application of the standards adopted in this Chapter would result in undue hardship or practical difficulties for the owner of such property. Special circumstances include, but are not limited to, exceptional or peculiar limitations to the dimension, shape or topography of the property, such as slope, standing or moving water, wetlands, floodplain, rock features, narrowness, shallowness or irregular shape of a lot.
Please see attached.

2. Substantial Detriment. The requested variance would not create a substantial detriment to the public good and would not substantially impair the intent and purpose of this Chapter, this Code or the City's Comprehensive Plan.
Please see attached.

3. Adverse Impacts. The requested variance would not result in significantly adverse impacts to the natural environment or to the surrounding properties and neighborhoods.
Please see attached.

4. Minimum Variance Necessary for Reasonable Use. The granting of the request is the minimum variance necessary for reasonable use of the property or building and the least deviation required from the applicable zoning standard to afford relief.

Please see attached.

Additional Information:

Please see attached.

The Sundry

135 West First Street, Salida, CO 81201

January 25, 2024

The variance request is for a variance from the overall height. The LUC required height is 35'-0". This request is for the height of the rear portion of the project to be a maximum of 38'-0" with a maximum 40'-0" for the elevator shaft. See attached Diagram 1X1.

Variance Approval Criteria.

1. Special Circumstances Exist.

The proposed project is a community oriented live performance venue with two movie theater areas located in the heart of the downtown. The neighbor to the east is the Unique which is 39'-0" tall for the main body with a raised center gable ~ 46'-0" tall. The west neighbor is a two story structure. The subject property is unique for new development in downtown Salida due to its large footprint.

The subject property has a single 25'-0" lot street presence on F Street. It extends back 150'-0" to the alley. At ~70'-0" it expands its width to 75'-0" behind the neighboring two story building. From the front of the building on F Street to the alley the grade rises 2'-0". To measure building height the LUC definition is used - shown below:

Building height means the distance measured on a vertical plane from the average preconstruction or post-construction grade around the perimeter foundation of a building or structure, whichever is lower, to the highest point on the roof surface of the building or structure.

As a community venue with a higher public occupancy load, the exits are required to be on grade at both the front and rear exits. The venue is located in the back of the lot adjacent to the alley, so the floor in this section needs to be raised to the alley level. Per the LUC height definition, the height is measured on the average of the perimeter grade. In effect the project then loses 1'-0" of overall height for the venue area.

2. Substantial Detriment.

The C-2 Central Business District zone promotes concentrated commercial activity that serves the need of the community plus attracts visitors. A community centered indoor multi-purpose venue with an occupant load of 500 and movie theaters is the type of permitted use project that fits right in an active, vibrant downtown. The C-2 zone utilizes zero setbacks for density and a strong pedestrian character. Both will be maintained in the proposed project. The Sundry will remodel and update the F Street façade, restoring its historical features with a modern take to compliment the surrounding downtown buildings while maintaining a height that is within a few feet of the existing front. The pedestrian view from the sidewalk will be virtually the same. The rest of the project will replace the current rear portion of the building, starting ~70'-0" back from First Street. The requested height variance areas are located to the rear of the property and out of the public view corridors. See the attached Diagram 1X1, photos, and 3D views (X2 – X4).

3. Adverse Impacts.

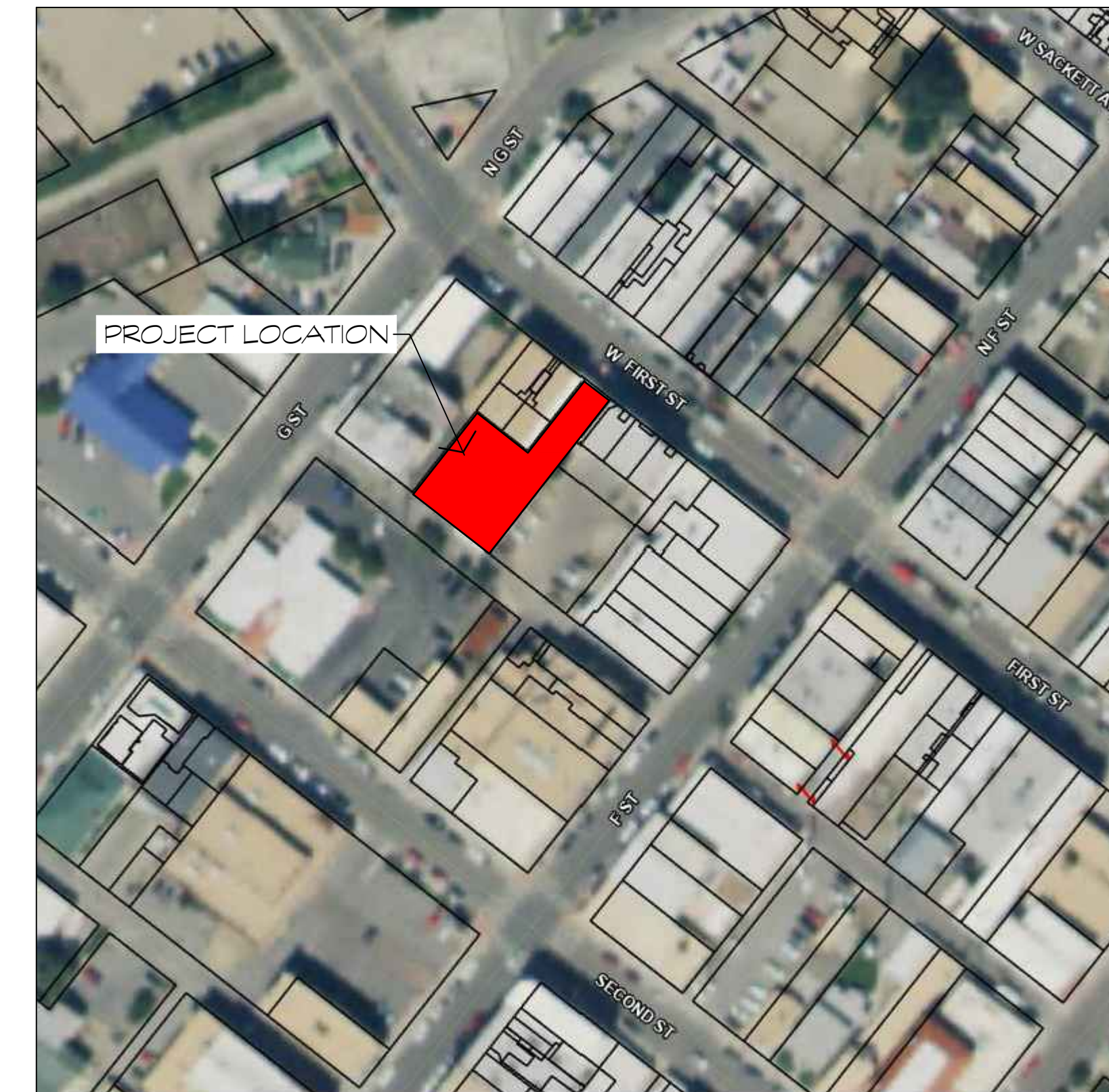
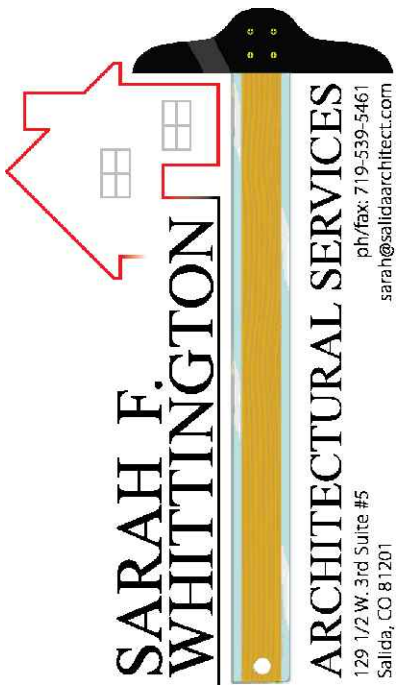
The Sundry wants to be a good neighbor and respect the existing conditions of their neighbors as much as possible. For this reason, the taller portion of the project is set to the rear of the property, back from the sides of the neighboring buildings. The front ~70'-0" of the original one-story portion of the building will remain one-story. This allows the existing windows on the south side of the adjacent building to remain and maintain their emergency egress and natural light. This also minimizes any potential negative impact on the neighboring structures. Where the new structure will conflict with two existing neighbor's windows in the rear, The Sundry building will jog in to allow a vertical light/ egress space for the windows. The Sundry owner has already come to an agreement on this with the owner of these two windows. Setting the taller portion of the building to the rear puts the majority of this section back behind the existing two-story neighbor. In between the front one-story section and the back higher venue section will be a two-story transition area with a rooftop deck.

4. Minimum Variance Necessary for reasonable Use.

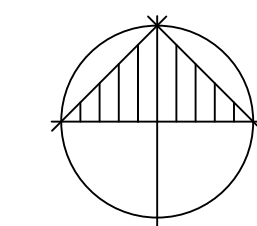
The majority of the project will be a live multi-use performance venue. The second level balcony in the venue will double as the larger movie theater with a fixed seating area. A small movie theater with fixed seating will also be located on the second level. Assembly buildings for performance and entertainment require more volume and ceiling height to best provide occupant sightlines to the stage or screen from the seats. To minimize the number of structural columns to allow for larger clear spans for better sightlines, it requires that the structural ceiling and floor members be taller. Also, the mechanical ductwork and fire suppression systems need to serve the area but stay above the view corridors for clear sightlines to the stage. Since the lot has the 2'-0" grade difference from front to back it is the rear venue portion that deals with the loss of 1'-0" from the overall building height maximum. To maintain a proper exit plan, the rear exits need to be on grade with the alley. In effect the variance request for 38'-0" will net the rear portion of the building a 37'-0" overall height. This extra space will allow The Sundry to maintain proper exiting at the alley grade level and a proper line of sight for the public's viewing pleasure.

Assembly buildings are also required to be accessible. Per accessibility codes, accessibility should be fair and equitable to all of the occupants. Fixed seating areas are required to have accessible seating in the rear 60% of the area. Being able to take the elevator up to the top of the venues will best accommodate the accessible seating areas, allowing for fair and equitable direct travel access. The accessible seating areas at the top of the venues will be at the same level as the roof deck over the two story section of the building. Therefore, the same elevator access will accommodate fair and equitable accessibility to this roof deck for all occupants.

Elevators have a required clear overhead dimension from their last stop of ~12'-7" before a roof system. This makes it impossible to bring an elevator into a lower height compliance in a building of this use. The requested height variance for the 80 sq. ft. of the elevator shaft is 40'-0". As discussed above, this will actually give the elevator 39'-0" to work with. The elevator is located in the center of the project. This shaft will not be visible from the ground level from either F Street or the alley.

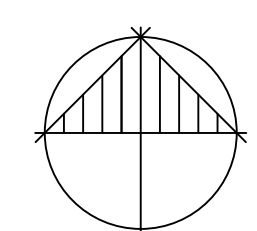


2 VICINITY LOCATION MAP
N.T.S.



| | |
|--|--|
| | ADJACENT BUILDINGS / PROPERTIES |
| | NOT PART OF VARIANCE APPLICATION |
| | 38'-0" MAX HEIGHT |
| | 40'-0" MAX HEIGHT AT ELEVATOR SHAFT ONLY |

1 BUILDING SITE DIAGRAM
1" = 10'-0"



The Sundry
135 West First Street - Salida, CO 81201

BUILDING SITE
DIAGRAM
VICINITY
LOCATION MAP



1 FIRST STREET VIEW 1



2 FIRST STREET VIEW 2





1 FIRST STREET VIEW 3

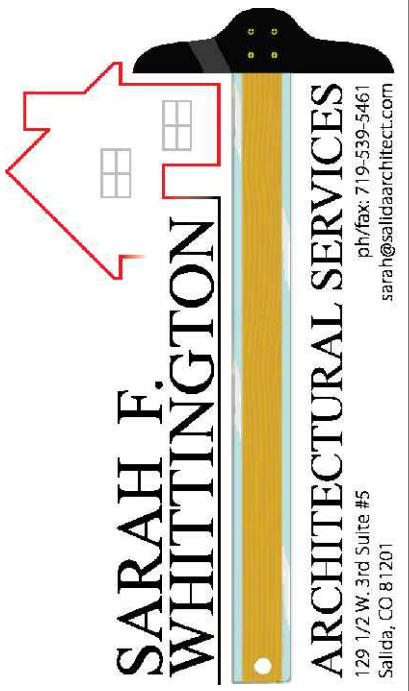


2 FIRST STREET VIEW 4



DATE: 1/29/2024

DRAWN BY: P.G.
CHECKED BY: S.W.



The Sundry
135 West First Street - Salida, CO 81201

PHOTOS WITH 3D
PROJECT
MODELS

X3
3 OF 4

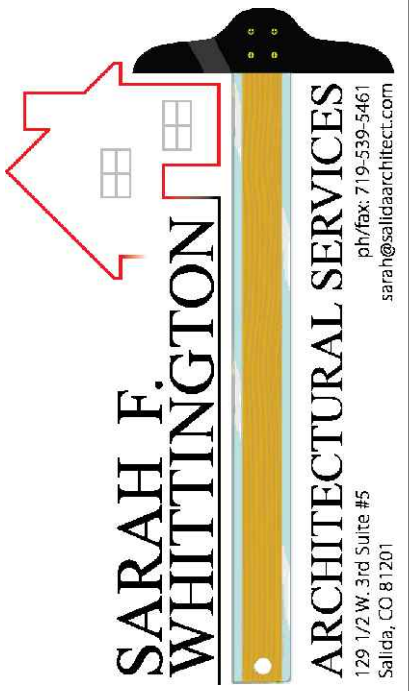
JOB # 23032.82



1 FIRST STREET VIEW 5

DATE: 1/29/2024

DRAWN BY: P.G.
CHECKED BY: S.W.



The Sundry
135 West First Street - Salida, CO 81201

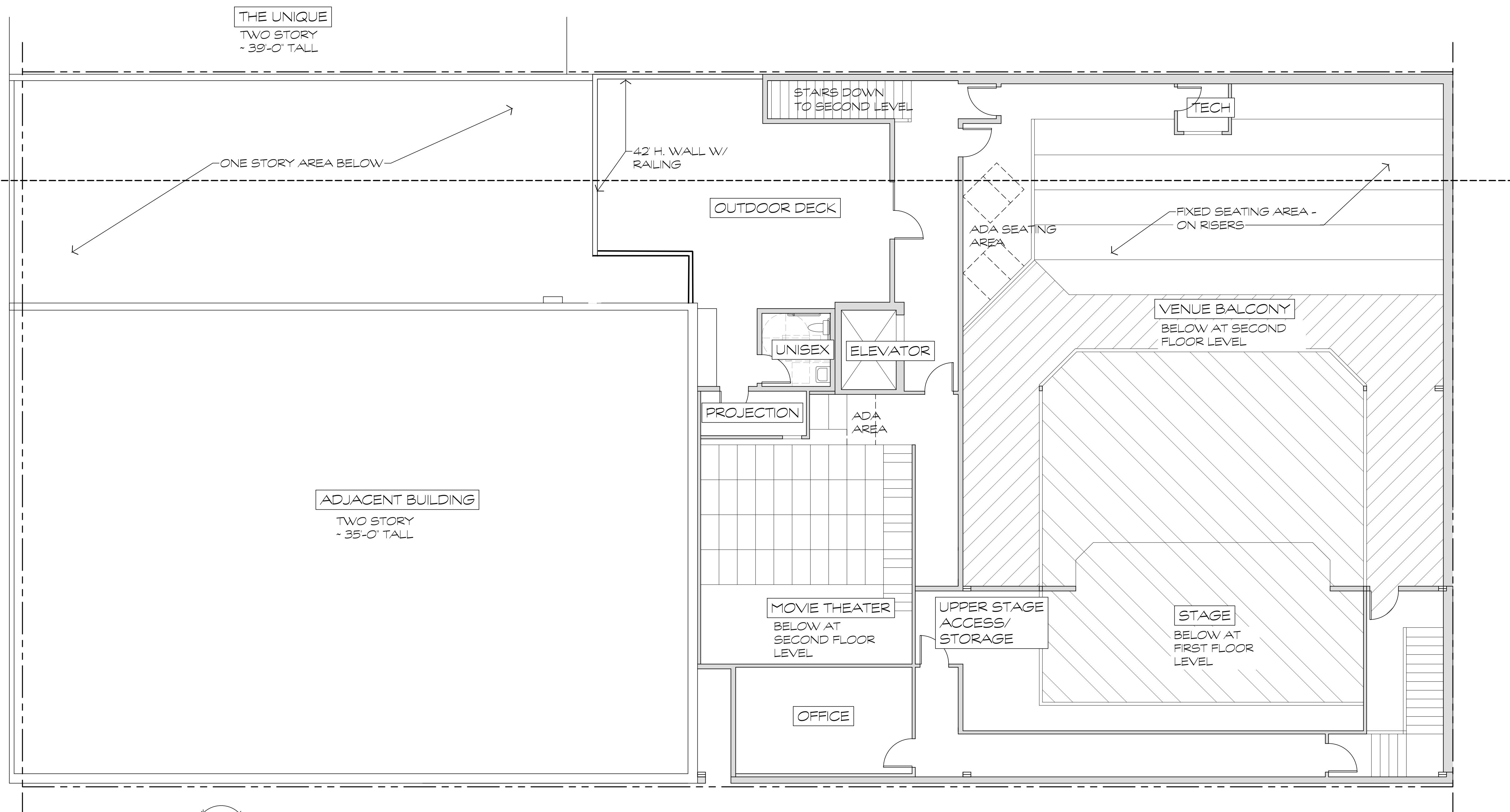
PHOTOS WITH 3D
PROJECT
MODELS

X4

4 OF 4

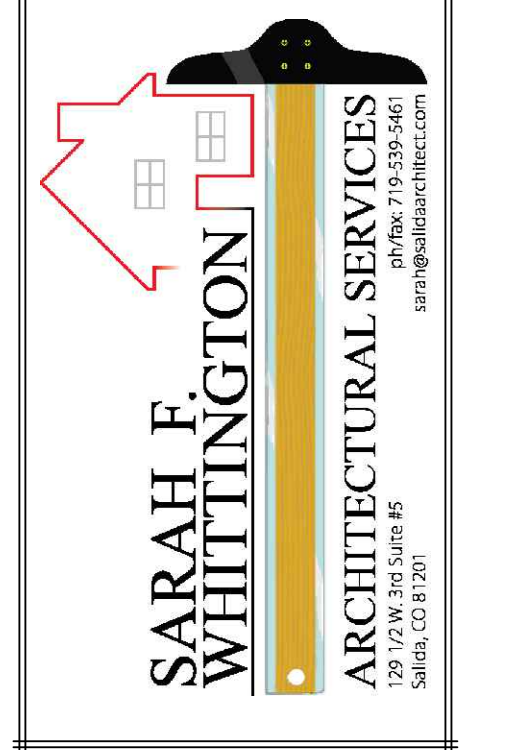
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CROSS SECTION
DRAWING 2



DATE: 2/5/2024

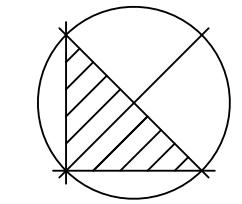
DRAWN BY: P.G.
CHECKED BY: S.W.



The Sundry
135 West First Street
Salida, CO 81201

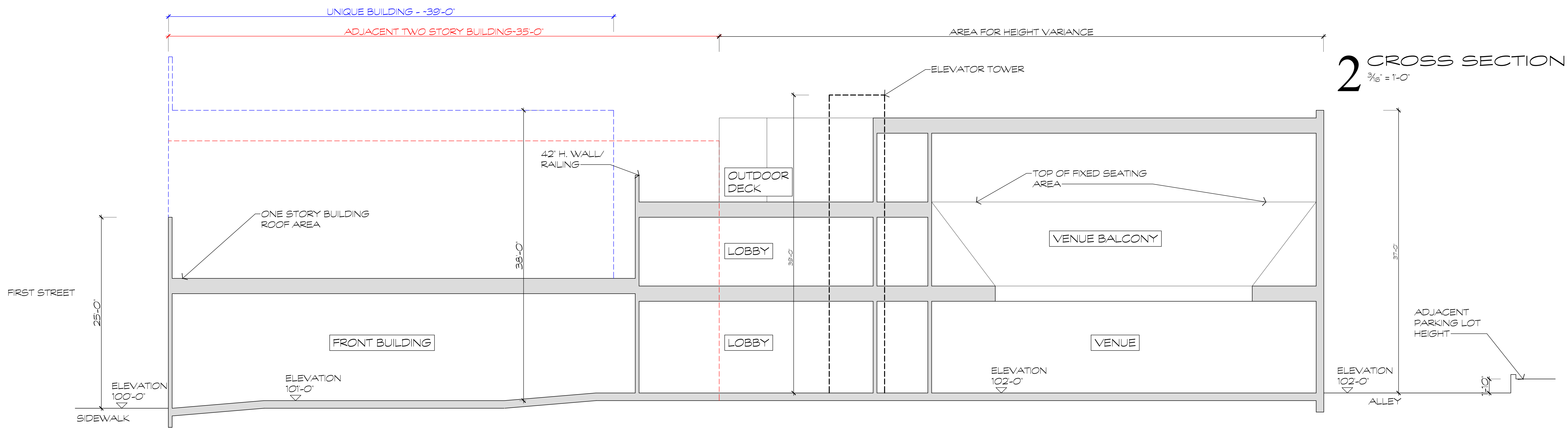
1 THIRD FLOOR PLAN

3/16" = 1'-0"



2 CROSS SECTION

3/16" = 1'-0"



**PUBLIC NOTICE
NOTICE OF A PUBLIC HEARING DATE
BEFORE THE BOARD OF ADJUSTMENT
FOR THE CITY OF SALIDA CONCERNING
A VARIANCE APPLICATION**

**TO ALL MEMBERS OF THE PUBLIC
AND INTERESTED PERSONS: PLEASE
TAKE NOTICE:** that on February 26, 2024
at or about the hour of 6:00 p.m., a public
hearing will be conducted by the City of
Salida Board of Adjustment at City Council
Chambers, 448 East First Street, Suite 190,
Salida, Colorado and online at the following
link: [https://attendeegotowebinar.com/
rt/1909092342220683277](https://attendeegotowebinar.com/rt/1909092342220683277)

The applicant, Nathan Young of The
Sundry, LLC, is requesting approval for a
variance on the property at 135 West First
Street, Salida, CO, legally known as Lockett/
Sundry Boundary Line Adjustment Block 21.
The purpose of the request is to receive a
variance from the 35-foot height requirement
in the C-2 zone district to allow a portion of
the structure up to 38 feet and an elevator
shaft up to 40 feet. Interested persons are
encouraged to attend the public hearing.
Further information on the application
may be obtained from the Community
Development Department, (719) 530-2631.

*Please note that it is inappropriate to
personally contact individual City Councilors
or Planning Commissioners, outside of
the public hearing, while an application is
pending. Such contact is considered ex
parte communication and will have to be
disclosed as part of the public hearings
on the matter. If you have any questions/
comments, you should email or write a letter
to staff, or present your concerns at the
public meeting via the above GoToWebinar
link so your comments can be made part of
the record.

Published in The Mountain Mail February 9,
2024

Merrell Bergin
PO Box 868
Salida, CO 81201-0868
mberginco@gmail.com

February 23, 2024

Kathryn Dunleavy
Planner
City of Salida
448 East Fiursat Street
Salida, CO 81201

Re: BOA Variance Hearing, The Sundry

Kathryn,

This letter is to express concerns regarding the requested variance for The Sundry that I to hope to have clarified when I appear on Feb. 26.

First, I met today with Nathan Young to review the full application set of drawings.

Concerns:

1. The compressed drawing showing the third floor plan, cross-hatched to lower floors and cross section view are extremely difficult to follow. Geographic orientation is ambiguous.
 - a. At the hearing, the owner and their representatives need to clearly show the Board what the design intent is and impact on all four sides.
 - b. If clearer drawings are not presented at the hearing, I ask that the matter be continued until such time as better visuals are available.
 - c. The height variance is key to equitable accessibility but may be the only control point in this project.
2. Parking is a major concern both for customers/patrons and for alley access and safety.
 - a. Code 16-8-80 (a) seems to indicate that parking minimums do not apply in the Central Business Overlay. This needs to be verified.
 - i. If so, how will neighbors, residents, and customers deal with even 100-200 vehicles attending an event for a venue with a maximum capacity of 500, with a common arrival and departure time without any provision for adjacent, offsite, leased parking.
 - ii. There is exactly one (1) handicap parking space in the site block, with two (2) additional at F and First. Applicant seeks

to make the entire venue equitably accessible. How will parking work for that?

- b. Alley access is critical in this block, especially in daytime hours. Trash, foodservice and delivery vehicles are already in conflict with each other. Besides unloading, they interfere with resident and business owner parking and their driveways.
- c. Illegal parking in the alley by patrons will be an enforcement nightmare.
- d. First responder access is critical not only for this block but the surrounding mixed-use buildings.

I appreciate the applicant's intent to be a good neighbor and trust that he will carry through. Having said that, there are unanswered questions that need to be addressed.

This project is impactful to downtown residents in more ways than cited here. I will address these at the hearing. The renderings in drawings X2, X3, and X4 do not take into account the viewscape from the rear property owners as shown below. While the rear view is not primarily public, it does matter.



Merrell Bergin
Tel. 303-601-1785