

PLANNING COMMISSION STAFF REPORT

MEETING DATE: June 22, 2020

AGENDA ITEM TITLE: 1. Recommendation on Confluent Park Subdivision – Major Impact

Review

AGENDA SECTION: Public Hearing

REQUEST / BACKGROUND:

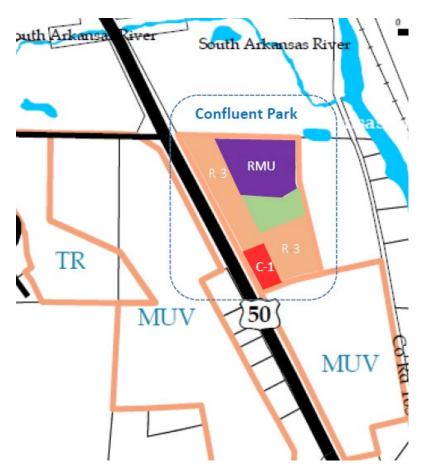
The applicant is requesting the Planning Commission recommend the City Council approve the Confluent Park Major Subdivision for a 16.3 acre parcel located at the northeast corner of Highway 50 and Vandaveer Ranch Road. The proposed subdivision consists of 39 lots. The site is zoned Planned Development with the underlying districts of Residential Mixed Use (RMU), High Density Residential (R-3) and Commercial (C-1).

Applicants: Confluent Park Salida, LLC as represented by Bill Hussey of Crabtree Group.



Lots 39 and 1 were previously created through the Minor Subdivision (Attachment 2) which was recommended for approval by the Planning Commission on January 7, 2020 and finally adopted by the City Council on January 21, 2020. The subdivision was approved in two steps to facilitate acquisition of Lot 1 for the Low Income Housing Tax Credit project by Commonwealth Development. Lot 39 was dedicated to the City for a park site.

The zoning for the site is a modification of the previous Vandaveer Ranch Planned Development with the underlying zoning as shown below. The development plan allowed some variations to the dimensional requirements of the underlying districts and approval processes.



The proposed major subdivision is almost identical to what was presented with the Planned Development. The only changes were very minor movement to lot lines in the RMU site to accommodate some required changes to the right-of-way for Trenton Street. The development plan is attached as Exhibit A.

MAJOR SUBDIVISION:

A major subdivision requires a recommendation from the Planning Commission and final approval by the City Council. The proposed subdivision must comply with the following standards:

- 1. <u>Comprehensive Plan</u>. The proposed subdivision is consistent with the Comprehensive Plan that promotes diverse residential housing styles and access to trails and open space.
- Zone District Standards. The proposed subdivision and ultimate development of the lots will
 comply with the Confluent Park Planned Development and other applicable standards of the
 Land Use and Development Code.
- 3. <u>Improvements</u>. Besides the new interior streets, the applicant will be improving the south side of the new Confluence Drive, located on the north side of the subdivision. Condition #8 of Ordinance 2020-01 requires a second water line connection to the subdivision from Oak Street prior to issuing any Certificate of Occupancies within the project.
- 4. <u>Natural Features</u>. The site is relatively flat except for the area in the northwest portion of the site that is within the floodplain. This area is approximately 10 feet below Highway 50. There is no natural vegetation on the site.
- 5. <u>Floodplains</u>. A portion of the northeast side of the site is within the 100 year floodplain. The applicant has approval to raise this portion of the site out of the floodplain through an approved Conditional Letter of Map Revision. The Floodplain Administrator has approved the rough grading permit for the site and will ultimately have to certify pad elevations are above the flood elevation before building permits are issued.
- 6. <u>Noise Reduction</u>. "Where a subdivision borders on or contains a highway right-of-way, the City shall require adequate provisions for reduction of noise. A parallel street, landscaping, screening, easement, greater lot depth, increased rear yard setbacks and fencing are potentially appropriate solutions, among others." Confluent Park is adjacent to Highway 50. The lots adjacent to the highway are setback a minimum of 25 feet that will include a landscape buffer.
- 7. Future Streets. The development plan for Confluent Park allowed narrower streets for Cleora and Chase Streets. Condition #9 of the planned development requires the construction Cleora Drive and Confluent Drive shall be in the first phase. The developer is proposing to phase the project from the south to the north as shown on the following page and described in Attachment. Approval of a change to the phasing of the project would be an insubstantial change that may be approved by the Administrator. Staff is in agreement with the phasing subject to two conditions: 1. Provide a temporary turn-around at the end of Cleora Road in Phase 1; and 2. Phase 3 will include a second point of access to the subdivision. Preferably the connection would be Confluent Drive on the north side completed to connect to CR 105. The developers of Confluent Park and Two Rivers Southside have been coordinating the construction of this shared road.
- 8. Parks, Trails and Open Space. Through the planned development, the developer dedicated 1.25 acres (Lot 39) to be developed for a public park. The PD also stipulated that park fees in lieu (\$3,000 per unit) will be collected with the construction of homes on Lots 13-38. Many trails and trail connections were required with the project. They include along Highway 50; on the north side of Lot 12; between Lots 6 and 7; on the west side of Lot 38 and a connection between the adjacent Judd 33-unit project (6906 LLC) and the future park.



- 9. <u>Common Recreation Facilities</u>. "Where a development is proposed to contain common recreation facilities, such facilities shall be located within the development so as to be easily accessible to the residents and to least interfere with neighboring developments." In this case the common amenity will be the centrally located park (Lot 39) owned and maintained by Salida.
- 10. <u>Lots and Blocks</u>. "The size, shape and orientation of lots shall be appropriate to the design and location of the proposed subdivision and to the type of development contemplated. Where appropriate, lots shall be laid out to respect the existing City pattern. Blocks generally shall not be less than three hundred (300) feet nor more than one thousand two hundred (1,200) feet in length." The proposed blocks meet the above standard (Attachment 1).
- 11. <u>Architecture</u>. The design of the residential buildings will have to meet the design standards stated in the code to prevent monotonous streetscapes. The minimum standard is the same building front elevation cannot be repeated more than every fifth lot or directly across the street. In addition the planned development included design guidelines for the design of structures in the project (see Attachment 3: Ordinance 2020-01).
- 12. <u>Codes</u>. The subdivision will comply with all applicable City building, fire and safety codes for the proposed development.

13. <u>Inclusionary Housing</u>. The developer has met the inclusionary housing requirement by deed restricting Lot 1 for up to 60 affordable units. Last May Commonwealth Development received approval from the Colorado Housing Finance Authority for Low Income Housing Tax Credits worth approximately \$1.2 million to build 48 units on the site. The units will be affordable for households earning 30-50% of the Area Median Income.

RESPONSE FROM REFERRAL DEPARTMENTS AND AGENCIES:

- <u>Salida Fire Department</u>: Kathy Rohrich, Fire Inspector, reviewed the subdivision and has no comments.
- <u>Salida Police Department</u>: Chief Russ Johnson stated he has no concerns with the subdivision.
- <u>Chaffee County Development Services Department</u>: Dan Swallow, Development Services Director: "No concerns at this time."
- <u>Salida Public Works Department</u>: Public Works Director David Lady has been involved in the development of the plans for the subdivision. He is recommending a few changes to the plans and plat as outlined in his June 9, 2020 memo (Attachment 5).
- <u>Salida Finance Department</u>: According to Renee Thonhoff, Staff Accountant, there are no existing sewer and water taps at the site. New development will require appropriate taps, meters and system development fees.
- <u>Xcel Energy</u>: Tim Butler, Contract Agent for Right-of-Way and Permits and Sterling Waugh, Energy Planner, performed cursory reviews of the plat. They had a number of questions about future development and recommendations for additional easements. These issues will have to be worked out prior to recording the plat.
- Atmos Energy. Dan Higgins: "This looks good to me!"
- <u>Floodplain Administrator</u>: Mark Rocheleau, PE is employed by JVA Consulting Engineers and is the city's Flood Plain Administrator. He has reviewed the rough grading for the site and will approve base flood elevations and finished floor elevations for each unit.
- <u>Salida School District R32J</u>: Shelia Moore, Business Manager for the District stated that fees in lieu of school dedications should be collected with this subdivision. Per our agreement with Chaffee County and the District, the fees have recently been increased to \$444.66 per unit.

STAFF RECOMMENDATION:

Staff recommends the Planning Commission recommend the Council approve the application, subject to the conditions listed below.

RECOMMENDED MOTION:

"I make a motion to recommend to the City Council approval of the Confluent Park Major Subdivision, subject to the following conditions:

- 1. Make corrections to the improvement plans as outlined by the Public Works Director (Attachment 5).
- 2. Developer to provide stamped grading plan showing building envelopes, base floodplain elevation and minimum floor elevations for lots within the floodplain.
- 3. Add the following notes to the plat to describe the following fees prior to recording:
 - a. Open space fees in lieu are required at the time of issuing a building permit for Lots 13-38;
 - b. School site dedication fees in lieu (currently \$444.66) are required at the time of issuing building permits for residential units within Lots 2-38.
- 4. Developer shall enter into a subdivision improvement agreement that guarantees the construction of the public improvements that are required for the project, prior to the recording of the subdivision plat.
- 5. Coordinate with Xcel Energy on appropriate public utility easements to serve the site.

Attachments:

- 1. Confluent Park Subdivision
- 2. Confluent Park Minor Subdivision (approved January 21, 2020)
- 3. Ordinance 2020-01
- 4. Insubstantial Modification Request
- 5. Public Works Review June 9, 2020
- 6. Proof of Publication

Attachment 1

CONFLUENT PARK

SUBDIVISION

LOTS 3 AND 4, CONFLUENT PARK MINOR SUBDIVISION

JUNE 17, 2020

CERTIFICATE OF DEDICATION & OWNERSHIP	DEDICATION & OWNERSHIP:	OF	CERTIFICATE
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<u> </u>
NOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED, BEING ALL OF THE OWNERS, MORTGAGEES, AND LIEN IOLDERS OF CERTAIN LAND IN THE CITY OF SALIDA, CHAFFEE COUNTY, COLORADO, DESCRIBED AS FOLLOWS:
LOTS 3 AND 4, CONFLUENT PARK MINOR SUBDIVISION, PER PLAT FILED AS RECEPTION IO, CITY OF SALIDA, CHAFFEE COUNTY, COLORADO.
OO HEREBY LAY-OUT, PLAT AND SUBDIVIDE THE ABOVE DESCRIBED PROPERTY INTO LOTS AND STREETS WITH BEARINGS, DISTANCES AND EASEMENTS AS SHOWN ON SHEET 2 CONTAINED HEREIN, TO BE KNOWN AS: CONFLUENT PARK SUBDIVISION CITY OF SALIDA CHAFFEE COUNTY, COLORADO
AND CHASE STREET AND TRENTON STREET ARE HEREBY DEDICATED TO THE CITY OF SALIDA AND TO THE PUBLIC AS PUBLIC RIGHTS—OF—WAY AND FOR THE PLACEMENT OF PUBLIC UTILITY LINES. (SEE CERTIFICATE OF STREET AND UTILITY MAINTENANCE.)
CLIST EASEMENT INFORMATION>
DEVELOPMENT PER PLANNED DEVELOPMENT, AS AMENDED DEVELOPMENT ALLOWANCES AND REQUIREMENTS ARE PER THE CONFLUENT PARK PLANNED DEVELOPMENT AMENDMENT, APPROVED BY ORDINANCE 2020-01, AND ANY AMENDMENTS
THERETO.
ACKNOWLEDGEMENT:
N WITNESS HEREOF, THE UNDERSIGNED HAVE CAUSED THESE PRESENTS TO BE EXECUTED ON THIS DAY OF , 2020.
CONFLUENT PARK SALIDA, LLC (OWNER)
VALTER HARDER IV, MEMBER FOR HIGH COUNTRY BANK (MORTGAGEE)
STATE OF COLORADO } SS
COUNTY OF CHAFFEE \$
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS DAY OF, 2019.
VITNESS MY HAND AND OFFICIAL SEAL MY COMMISSION EXPIRES
NOTARY PUBLIC
ADDRESS
CERTIFICATE OF TITLE INSURANCE COMPANY:
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 COUND TITLE VESTED IN CONFLUENTE PARK SALIDA, LLC, A COLORADO LIMITED LIABILITY COMPANY, FREE AND CLEAR OF ALL LIENS AND ENCUMBRANCES, EXCEPT:
·
BRETT W. EAKINS
LAND CUDYEVOD'C CTATEMENT.
LAND SURVEYOR'S STATEMENT:, A REGISTERED LAND SURVEYOR LICENSED TO PRACTICE IN THE STATE
OLORADO, DO HEREBY STATE THAT THIS PLATTING WAS PREPARED UNDER MY DIRECT SUPERVISION AND HECKING, AND THAT THE SURVEY INFORMATION SHOWN ON THE PLAT CONTAINED HEREIN IS BASED ON MONUMENTED LAND SURVEY OF LOT 6, PONCHA VISTA SUBDIVISION, AS SHOWN, AND THAT SAID SURVEND PLAT AND THE INFORMATION PERTAINING TO SAID SURVEY ARE TRUE AND ACCURATE TO THE BEST MY KNOWLEDGE AND BELIEF.

GENERAL LAND SURVEYOR'S NOTES:

DATED THIS _____, DAY OF _____, 20___.

- 1) RECORD PROPERTY DESCRIPTION AND RECORD EASEMENT RESEARCH BASED ON FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT NO. 16-04080 ISSUED BY CENTRAL COLORADO TITLE & ESCROW, EFFECTIVE NOVEMBER 10, 2019.
- 2) DEED LINES ARE BASED ON AFOREMENTIONED PROPERTY DESCRIPTION, AND ON THE LOCATIONS OF THE RECOVERED SURVEY MONUMENTS SHOWN AND DESCRIBED ON SHEET 2.

CERTIFICATE OF STREET AND UTILITY MAINTENANCE:

PUBLIC NOTICE IS HEREBY GIVEN THAT NEITHER THE DEDICATED PUBLIC ROADS AND ALLEYS, NOR PUBLIC UTILITIES WILL BE MAINTAINED BY THE CITY OF SALIDA UNTIL AND UNLESS THE SUBDIVIDER CONSTRUCTS THE STREETS/ROADS, ALLEYS AND UTILITIES IN ACCORDANCE WITH THE SUBDIVISION IMPROVEMENTS AGREEMENT, IF ANY, AND THE SUBDIVISION REGULATIONS AT THE TIME OF THE FILING OF THE PLAT, AND APPROVAL BY THE CITY HAS BEEN ISSUED TO THAT EFFECT. WHEN 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 OR UTILITY.

CITY OF SALIDA PLANNING COMMISSION APPROVAL:

THIS PLAT IS APPROVED BY THE CITY OF SALIDA PLANNING COMMISSION ON THIS _____ DAY OF _____, 20____.

CITY COUNCIL APPROVAL:

THIS PLAT IS APPROVED FOR FILING AND THE CITY OF SALIDA HEREBY ACCEPTS THE DEDICATION OF STREETS, ROADS AND ALLEYS SHOWN HEREON SUBJECT TO THE PROVISIONS OF "STREET MAINTENANCE" SET FORTH IN CERTIFICATE OF STREET AND UTILITY MAINTENANCE ABOVE, AND FURTHER ACCEPTS THE DEDICATION OF THE EASEMENTS SHOWN AND DESCRIBED ON THESE PLATS.

CHAIRMAN

BY:______

COUNTY CLERK AND RECORDER'S CERTIFICATE:

THIS PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE CLERK AND RECORDER OF CHAFFEE COUNTY, COLORADO, AT _____.M., ON THIS _____ DAY OF ______, A.D. 20__, UNDER RECEPTION NO. _____.

CHAFFEE COUNTY CLERK AND RECORDER

OWNER

CONFLUENT PARK SALIDA, LLC

CONTACT: WALT HARDER

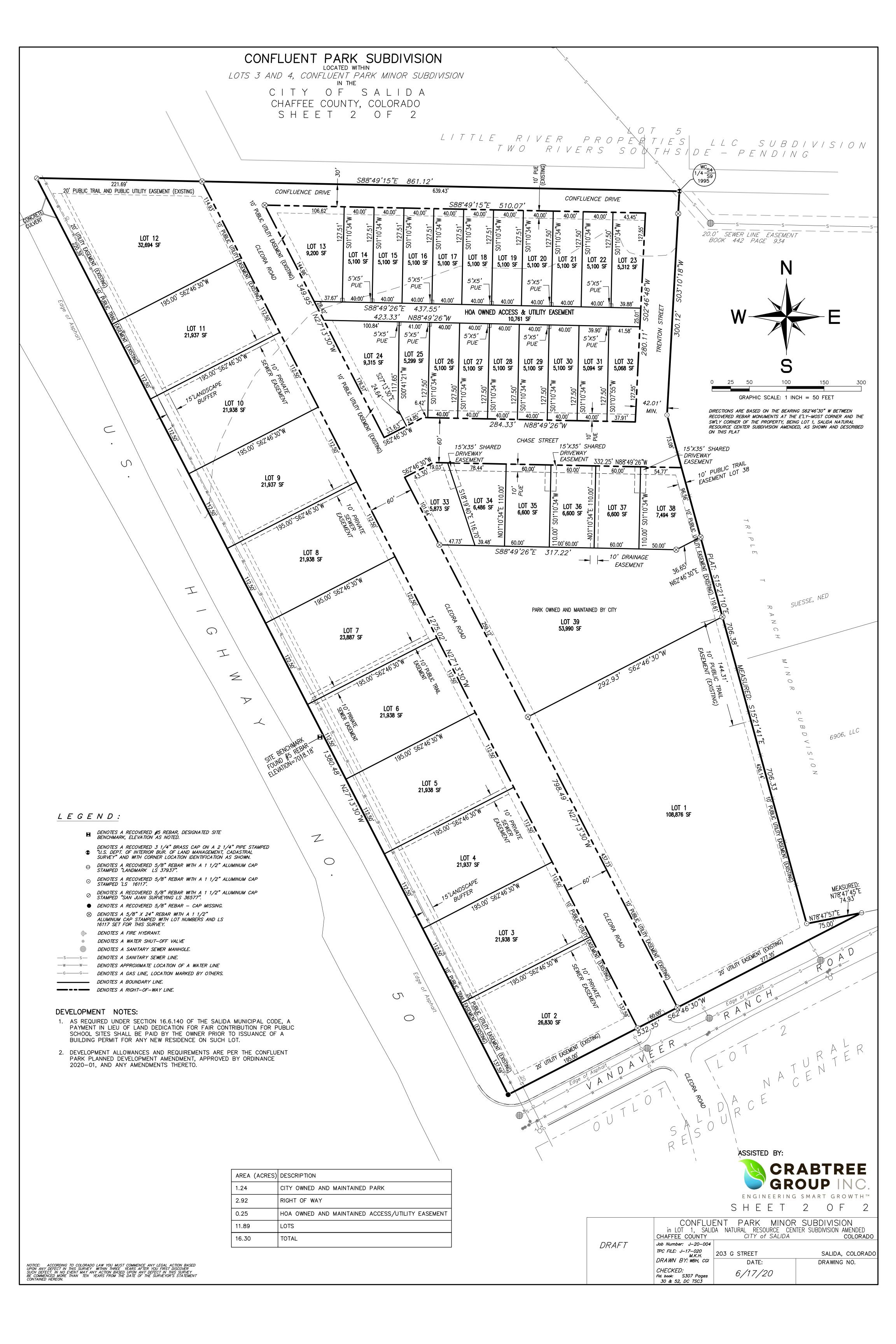
130 WEST SECOND STREET

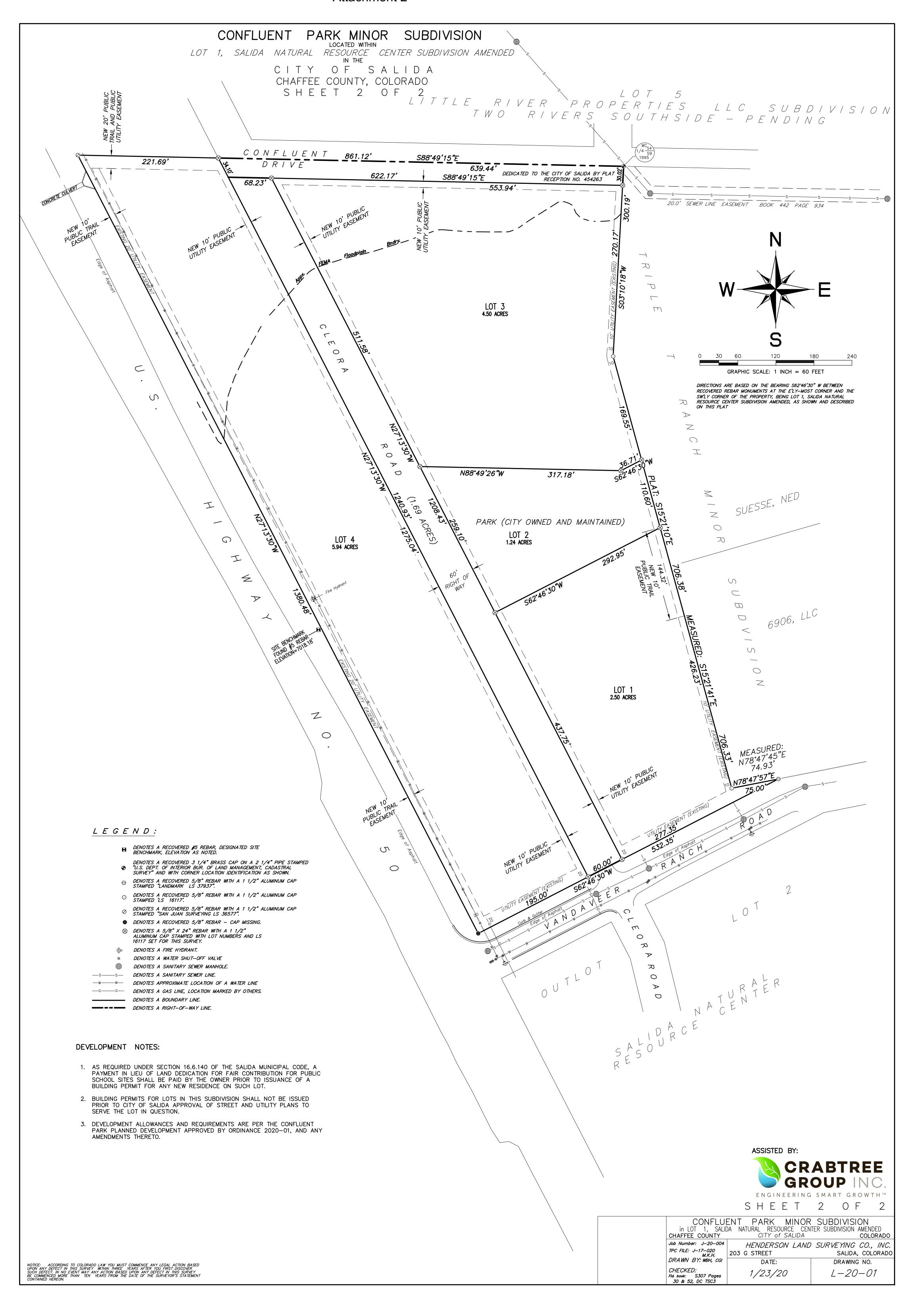
SALIDA, CO 81201

ASSISTED BY:



DRAFT





Attachment 3

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:

Planning Area Entitlements Chart

Planning Areas	lanning Areas Zoning		ng Areas Zoning Gross and commerci		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

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.

- 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.

- 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.

CITY OF SALIDA, COLORADO

[SEAL]

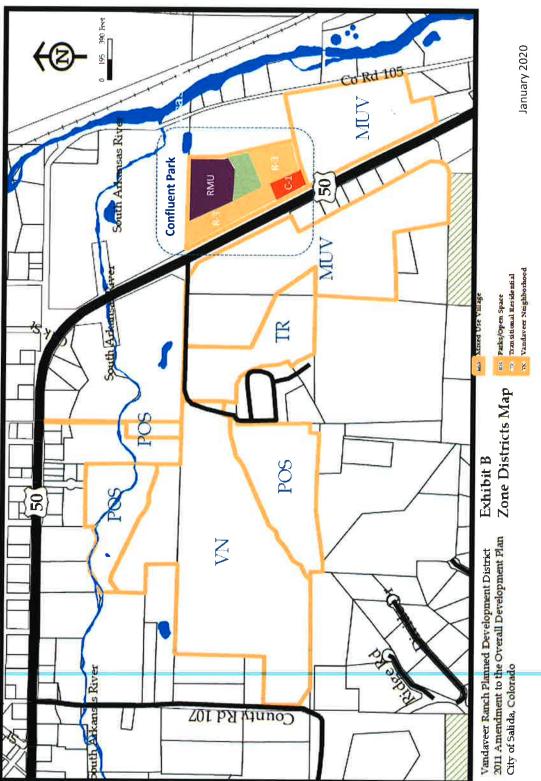
ATTEST:

City Clerk/Deputy Clerk

P.T. Wood, Mayor

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



January 2020

Exhibit B of Ordinance 2020-01 JANUARY 14, 2020

CONFLUENT PARK

PLANNED DEVELOPMENT AMENDMENT NARRATIVE



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1 EXECUTIVE SUMMARY

Confluent Park is a 15.87-acre parcel on Vandaveer Ranch owned by Confluent Park, LLC. The parcel is currently in the VPA-5 Overall Development Plan District and the MUV-PB PD zone of the 2011 Amendment to the Overall Development Plan for Vandaveer Ranch known as the Mixed-Use Village Pinto Barn Zone.

The Parcel is bounded by the Two Rivers Southside development on the north, U.S. Highway 50 East on the West, Vandaveer Ranch Road on the South and an Un-incorporated land parcels on the East between the subject parcel and Old Stage Road (CR 105).



Figure 1 – Chaffee County Assessor's Map, subject parcel in blue.

The goal of the neighborhood development is to provide a wide range of housing types and a diverse cost range of rental and purchase housing in an integrated neighborhood which is walkable with services in the pedestrian shed. This is accomplished by zoning, neighborhood planning, deed restrictions and site layout. Table 1 provides an overview of the housing type and housing cost diversity. The inclusion of Live-Work, Mixed Use and Commercial in the neighborhood provide opportunity for jobs and services within a walkable distance. Trail connectivity to Two Rivers South provides a viable walking and bicycle route to the City center employment and service areas. Table 1 also provides the maximum number of units that can be built in Confluent Park per the proposed density.

HOUSING TYPES	Lots	Units (max)	% of Total Units	Affordability
Single Family thru Fiveplex (CPR)	26	68	24%	less affordable
Apartment/Townhome/Condo (CPMF)	8	103	36%	more affordable
Units over Commercial (CPC)	3	58	20%	more affordable
Low-Income Apartment 60% AMI (CPMF)	1	60	21%	60% AMI
Total	38	289		

Table 1 – Housing Types and Cost Diversity (maximum possible residential units)

The PD plan includes the following:

- Lot 1, zoned in the PD Zoning Overlay Amendment as CPMF (Confluent Park Multi-Family/Mixed Use) shall be designated for development of 50+ rental units deed restricted to 60% or less AMI for 30 years through the use of Low-Income Housing Tax Credits (LIHTC). See Appendix A for details on LIHTC development. At 6.25%, 50 units meet the inclusionary zoning requirement for the next 750 market rate units.
 - Excess affordable housing credits from Confluent Park shall be transferrable to Angelview subdivision (Assessor parcels R380706200042, R380706200041, R380706200030, and R380706200029, see figure 2).
 - A four lot Minor Subdivision will be required as in interim step to facilitate the transfer of title to the LIHTC developer in the timeframe necessary to obtain the Tax Credit Financing. This is an opportunity for the City to obtain 50+ low income rental units. The lots in the Minor Subdivision would be Plat restricted from obtaining a building permit until the Major Subdivision is approved and the necessary public and private infrastructure is installed.



Figure 2 - Angelview Subdivision (remaining phases)

- Lots 2, 3 & 4 (21,937 26,829 square feet) are zoned in the PD Zoning Overlay Amendment as CPC (Confluent Park Commercial/Mixed Use).
 - o These lots allow commercial, mixed use, and residential development. This includes the possibility of residential units above ground floor commercial.
 - Architectural standards are provided in the PD in order to enable approval of all multi-family development under administrative review procedure.
- Lots 5-12 (21,937 23,888 square feet) are zoned in the PD Overlay Amendment as
 CPMF (Confluent Park Multi-Family/Mixed Use).
 - These lots are dimensioned and designed to facilitate a variety of site plans for multi-family rental, townhomes, and/or condominiums.
 - Architectural standards are provided in the PD in order to enable approval of all multi-family development under administrative review procedure.
- Lots 13-38 (5,200-9,927 square feet) are zoned in the PD Overlay Amendment as CPR (Confluent Park Residential).
 - Lots are primarily intended for single family or attached duplex units.
 - Lots 13 and 24 are large enough to support a 5 unit Townhome, Condo or Multi-Family rental units. Units could front Cleora Drive, with alley access for on lot parking.
- Lot 39 (53,986 square feet = 1.26 acres) is zoned CPP (Confluent Park Public Park)

- The Vandaveer Ranch PD transferred all open space requirements to the west side of highway 50 in the public park area. However, a neighborhood park is beneficial, and this one will complement the river access provided in Two Rivers. The Lot 39 park will be dedicated to the City, constructed by the City, and maintained by the City.
- The developer will provide a smooth graded area, with water, sewer, and electric utility services. No system development fees shall be charged for water and sewer services to the park.
- **8 short term rental licenses** shall be given to the developer to assign to market rate units in Confluent Park.

2 CURRENT ENTITLEMENT - PINTO BARN PLANNED DEVELOPMENT

The "Mixed-Use Village – Pinto Barn Planned Development" (MUV-PB PD) currently in place was adopted by Ordinance 16 of 2011.

The PD consists of a Planning Area Entitlements Chart showing the subject property in the VPA-5 with a zoning designation of Mixed-Use Pinto Barn Village as shown in Table 2. The PD entitles the property for 25,000 square feet of Dwelling Units and Commercial lodging units and 150,000 square feet of Non-residential development square footage.

Pinto Barn Accessory Uses specified are:

- Dormitories with common dining facilities
- Multi-family buildings that are ancillary to and affiliated in ownership with education or employment centers within the Pinto Barn parcel.
- Single-family residences that are ancillary to and affiliated in ownership with education or employment centers within the Pinto Barn parcel.

Pinto Barn Parking Requirements:

- Within the Pinto Barn Parcel, on-street parking spaces may be used to satisfy up to 50% of the total parking requirement associated with the development of the parcel; provided, however that such on street parking spaces shall count towards no more than 50% of the total parking requirement associated with the final development plan for each phase.
- Loading and unloading facilities within the Pinto Barn Parcel may be located directly off a dedicated street if the facilities are not visible from Highway 50.
- One Parking space will be required for each 1,000 square feet of industrial use within the Pinto Barn parcel.
- Except as provided herein, parking within the Pinto Barn Parcel shall comply with Salida Municipal Code Standards.

It is not clear by the 2011 PD Pinto Barn Amendment or the 2006 Vandaveer Ranch PD what dimensional standards apply to the property. Table 2 shows existing Pinto Barn entitlement. Table 3 is an amendment to Table 2. Further amendments in this document reference the City of Salida Municipal Code.

Table 2 implies that the Pinto Barn PD has entitlement for 115 dwelling units (subtracting VPA 1 through 4 dwelling units from the total of 950 gives 115 dwelling units for VPA-5). Table 3 amends this up to 289 dwelling units (maximum) for Confluent Park, increasing the total entitlement for Vandaveer Ranch to 1,124 units. This is an increase of 174 units.

Table 2 – Existing Pinto Barn Planning Area Entitlements Chart

	Planning Area Entitlements Chart Pinto Barn								
Planning Areas	Zoning Gross Area		Dwelling Units and Commercial Lodging Units*	Non-residential Development Square Footage **					
Proposed Developme	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	Mixed Use Pinto Barn	15.87	25,000 s.f. for residential units ***	150,000					
VPA-7	Open Space/Parks	18	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	610,000					

Table 3 - New Confluent Park Planning Area Entitlements Chart

	Planning Area Entitle	ments Ch	nart Confluent Pa	rk	
Planning Areas	Zoning	Gross Area	Dwelling Units and Commercial Lodging Units*	Non-residential Development Square Footage **	
Proposed Developme nt	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]		
VPA-5	Confluent Park	15.87	289 Dw elling Units	125,000 ****	
VPA-7	Open Space/Parks	18	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	610,000	

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

^{**} Non-residential square footage includes employment centers, retail, commercial, commercial lodging, research and development, services and educational

^{***} Includes single family, attached, multi-family, stacked units, townhomes and condominiums:

^{****} Includes all non-residential uses in CPC and CPMF zones

3 CONFLUENT PARK PD AMENDMENT NARRATIVE

Four zones are proposed within Confluent Park (See Figure 2, and attached PD Plan):

- Confluent Park Residential (CPR), which closely resembles R-3 dimensional standards with RMU uses. Underlying zone: RMU
- Confluent Park Commercial (CPC), which closely resembles C-1. Underlying zone: C-1
- Confluent Park Multi-Family/Mixed Use (CPMF) which closely resembles R-3 dimensional standards with RMU uses. Underlying zone: RMU
- Confluent Park Public Park (CPP).

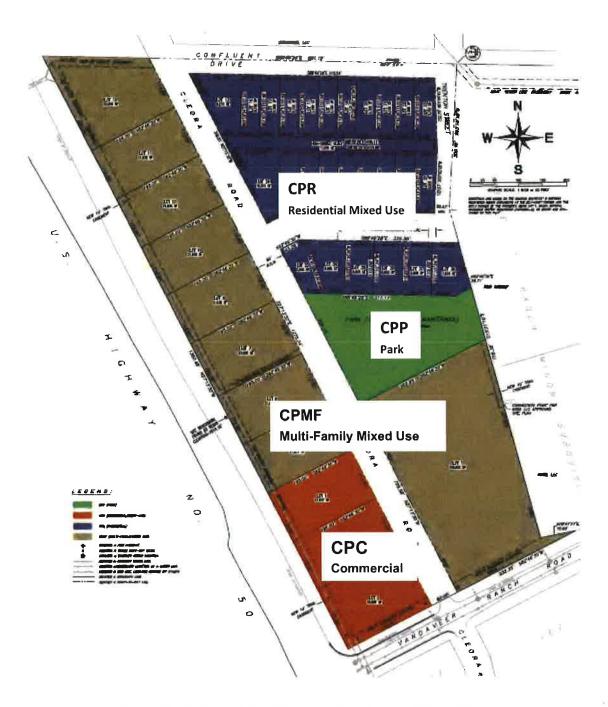


Figure 3 - Confluent Park Planned Development Zones Map

3.1 <u>DIMENSIONAL STANDARDS</u>

CPR and CPMF dimensional standards varying from the standard city zone of R3 are shown in green text. The most substantial change for the CPMF zone is to the density, going from 2100 lot square feet per dwelling unit to 1800 to accommodate smaller, more affordable units. The primary goal of this change in

density is to lower the cost of rent and purchase units in this development. The secondary goal is to provide enough residents within walking distance to promote small businesses in the neighborhood. Front setback is also reduced from 20' to 12' to accommodate density.

Density in the CPR zone is lowered to 1750 lot square feet per dwelling unit in order to incorporate a neighborhood that has potential to be truly mixed-use, with single family, duplex, townhome, accessory dwelling units (ADU's), and limited commercial possibilities on the same street.

High residential density will be desirable and livable in this neighborhood because every resident will be within a 1 block walk of the park.

CPC dimensional standards conform to C1 with variations shown in green text. Density is adjusted to 1200 lot square feet per unit if the ground floor contains at least 50% commercial. If CPC lots are built out with less than 50% of the ground floor being commercial, density shall be 1800 lot square feet per unit.

Accessory dwelling units shall meet the requirement of the underlying zone, and the recent ordinance passed by City Council.

TABLE 16-F Schedule of Dimensional Standar		Confluent Park PD				
Dimensional Standard	C-1	R-3	CPR Residential	CPC Commercial	CPMF Multi-Family	
Min. lot size (sq. ft.)	5,625 5,063 6 3,750 7	5625 5,063 6 3,750 7	4000	4,000	3,600	
Density (Lot s.f./Min. lot area per dwelling unit)	2,800 2,450 6	2400 2,100 6	1,750	1800, or 1200 if commercial use >50% of ground floor	1,800	
Min lot size (sq. ft.) - attached units	2,800 2,520 6	2400 2,160 6	2,400 2,160 6	2,800 2,520 6	2,400 2,160 6	
Min. lot frontage	37' - 6" 25 ft 7	37'-6" 25 ft 7	33¹ 25 ft 7	33' 25 ft 7	37' - 6" 25 ft 7	
Min, lot frontage – attached units	20'	15	15	15	15'	
Max. lot coverage: structures (additive coverage total for structures and uncovered parking cannot exceed 90% except in C-2)	60% 66% 6	45% 50% 6	60%	60% 66% 6	60%	
Max. lot coverage: uncovered parking/access (additive coverage total for structures and uncovered parking cannot exceed 90% except in C-2)*****	60%	25%	25%	60%	25%	
Min, landscape area	10%	30%	30%	10%	20%	
Min. setback from side lot line for a primary bldg.	5 ft ^e	5	5'	5 ft²	5'	
Min. setback from side lot line for a detached accessory bldg.	3'	3	3'	3'	3'	
Min. setback from rear lot line: principal bldg.	5 ft ²	20'	15'	5 ft²	15'	
Min. setback from rear lot line: accessory bldg.	5'	5	51	5'	5'	
Min. setback from front lot line ⁴	10'	20'	15'	10'	15'	
Max. building height for a primary	35'	35'	35'	35'	35'	
Max. building height for a detached accessory bldg.	25'	25'	25'	25'	25'	

Notes:

- 1 If a property does not utilize the zero setback allowance, the minimum landscape area shall be ten percent
- 2 If the property adjoins a residential zone district, setbacks on the side and rear lot line shall be the same as those in the residential zone.
- 3 Existing structures are not required to meet off-street parking requirements. New structures and additions shall meet off-street parking requirements.
- 4 A covered porch may encroach into the front yard setback by twenty five percent (25%) 50%
- 5 If a front-loaded garage is set back at least ten (10) feet behind the primary street-facing building façade, the lot coverage between the garage entrance and the primary, street-facing building façade shall not be included in the calculation of lot coverage for uncovered parking/access.
- 6 Standards for inclusionary housing development per Section 16-13-50.
- 7 15% of the single-family lots within an inclusionary housing development may be 25 feet X 150 feet.

Confluent Park PD Dimensional Standards

3.2 USE STANDARDS

Uses in CPR default to RMU, to encourage small neighborhood businesses. Specific reasons for each additional entitlement are given in the table. Uses in CPC default to C1, except where restrictions are proposed to prevent businesses not compatible with neighborhood scale (car dealership, etc.).

TABLE 16-D Schedule of Uses (for comparison only)				Confluent Park PD						
N = Not Permitted P = Permitted AC = Administrative Conditional Use C = Conditional Use AR = Administrative Review LR = Limited Impact Review	RMU	C-1	CPR Residential (Based on RMU)	CPMF Multi- Family (Based on RMU)	CPC Commercial (Based on C-1)	Standards 1	Explanation			
Residential Uses							TAVESTIC VICE BUILDING			
Accessory buildings and structures.	P	P	Р	P	P					
Multiple principal structures	LR	LR	LR	Р	Р	Sec. 16-4- 190(b)	Enable dense multi-family construction in variety of configurations to add interest to the streetscape.			
Accessory dwelling units	AR	AR	AR	AR	AR	Sec. 16-4- 190(c)	and saccostipor			
Duplex dwelling units	P	LR,	P	P	Р	170(0)				
Residential (3 - 4 units)	AR	AR,	P	Р	P		Streamline process/reduce risk for a small developer.			
Residential (5 - 19 units)	LR	LR,	LR	AR	AR		Reduce the schedule for multi-family projects while ensuring appropriate level of code review by city staff. Additional Architectural standards per PD apply.			
Residential (20 or more units)	MR	MR ³	MR	AR	AR		Reduce the schedule for multi-family projects while ensuring appropriate level of code review by city staff. Additional Architectural standards per PD apply.			
Single-family dwelling units	AR	AR ³	AR	AR ³	AR ³		7,7			
Single Mobile Home	N	N	N	N	N					
Medical marijuana cultivation—patient or primary	P	P	Р	P	Р	Sec. 16-4-				
Medical marijuana cultivation—patient or primary	N	LR	N	N	LR	Sec. 16-4-				
Mobile home parks	N	N	N	N	N	Sec. 16-4- 190(d)				
One or more dwelling units on the same site as a commercial or industrial use	AR	LR	AR	P	Р		Enable mixed-use.			
Recreational vehicles – long term occupancy	N	AR	N	N	AR	Sec. 16-4-190				
Recreational vehicle parks	N	LR	N	N	LR	Scc. 16-4-190(e)	90			
Rooming or boarding houses ²	LR3	LR ³	LR ³	LR ³	LR [,]					

Residential Business Uses	RMU	C-1	CPR Residential (Based on RMU)	CPMF Multi- Family (Based on RMU)	CPC Commercial (Based on C-1)	Standards 1	Explanation
Bed and breakfast inns	P	P	P	P	Р		
Short-term Rental Units	P	P	Р	P	P	Sec. 16-4- 190(q)	
	RMU	C-1	RMU	RMU	C-1		
Day care, adult	LR	AR	LR	LR	AR	Sec. 16-4- 190(f)	
Day care, small	AC	AC	P	Р	Р	Sec. 16-4- 190(f)	Needed in the community, enable mixed- use. Also regulated by the state.
Day care, large	С	AC	Р	Р	Р	Sec. 16-4- 190(f)	Needed in the community, enable mixed- use. Also regulated by the state.
Home occupations	P	P	Р	P	Р	Sec. 16-4- 190(g)	,
Home Businesses	AR	P	Р	Р	P	Sec. 16-4-190	Enable mixed-use.
Public/Institutional Uses	RMU	C-1	CPR Residential (Based on RMU)	CPMF Multi- Family (Based on RMU)	CPC Commercial (Based on C-1)	Standards 1	Explanation
Bus Stations	N	LR	N	N	LR		
Churches, parish homes and religious education buildings	AR	AR	AR	AR	AR		
Clubs operated by and for their members	LR	P	LR	LR	P		
Community buildings	LR	AR	LR	LR	AR		
Government administrative facilities and services	LR	AR	LR	LR	AR		
Group homes	С	С	С	С	С		
Hospitals	MR	MR	MR	MR	MR		
Nursing homes	MR	MR	MR	MR	MR		
Parks	AR	AR	AR	AR	AR		
Public parking facilities	LR	LR	LR	LR	LR		
Recreation facilities	AR	AR	AR	AR	AR		
Schools	LR	LR	LR	LR	LR		

Commercial, Personal Service and Office Uses	RMU	C-1	CPR Residential (Based on RMU)	CPMF Multi- Family (Based on RMU)	CPC Commercial (Based on C-1)	Standards ¹	Explanation
Commercial lodging	LR	AR	LR	LR	AR		
Commercial parking lots and garages	LR	LR	LR	LR	LR		
Downtown Street Patio	N	N	N	N	N	Sec. 16-4-190 (r)	
Drive-in facilities	N	LR	N	N	LR	Sec. 16-4- 190(1)	
Drive-in food or beverage facilities	N	LR	N	N	LR	Sec.16-4- 190(l)	
Outdoor amusement establishment	N	LR	N	N	LR		
Eating and drinking establishments	P	P	P	Р	P		
Medical marijuana centers	N	AR	N	N	AR	Sec. 16-4-190(k)	
Retail marijuana store	N	AR	N	N	AR	Sec. 16-4-190(k)	
Marijuana cultivation facilities	N	LR	N	N	LR	Sec. 16-4- 190(p)	
Professional offices	P	P	P	P	P		
Campground	N	MR	N	N	MR		
Retail sales and rental establishments	P	P	P	P	P	Sec. 16-4- 190(m)	
Temporary commercial activities	LR	AR	P	P	Р	Sec. 16-4- 190(n)	Possibilities include a food truck at the neighborhood park, or an artist having a public exhibition in their front yard.
General Services	RMU	C-1	CPR Residential (Based on RMU)	CPMF Multi- Family (Based on RMU)	CPC Commercial (Based on C-1)	Standards ¹	Explanation
Automobile sales, service and repairs	N	P	N	N	N		Would disrupt neighborhood design.
Gasoline service stations and car washes	N	AR	N	N	AR		
Mobile home and recreational vehicle sales and services	N	P	N	N	N		Would disrupt neighborhood design.
Veterinary clinics	N	LR	N	N	LR		

RMU	C-1	CPR Residential (Based on RMU)	CPMF Multi- Family (Based on RMU)		Standards ¹	Explanation
LR	AR	LR	N	AR		Avoid potential nuisance to neighbors in multi-family scenario.
N	MR	N	N	N		Would disrupt neighborhood design.
N	N	N	N	N		
N	N	N	N	N		
N	MR	N	N	MR	Sec. 16-4-190(o)	
N	LR	N	N	N		
N	LR	N	N	N		
N	LR	N	N	LR		
N	N	N	N	N		
N	N	N	N	N		
	LR N N N N N N N	LR AR N MR N N N N N LR N LR N LR	RMU C-1 (Based on RMU) LR AR LR N MR N N N N N N N N MR N N LR N N LR N N LR N N LR N N N N	RMU C-1 CPR Residential (Based on RMU) Multi-Family (Based on RMU) LR AR LR N N MR N N N N N N N N N N N N N N N N N N N LR N N N LR N N N LR N N N N N N	RMU C-1 CPR Residential (Based on RMU) Multi-Family (Based on RMU) CPC Commercial (Based on C-1) LR AR LR N AR N MR N N N N N N N N N N N N N N N N N N N N N N N N LR N N N N LR N N LR N N N N N	RMU C-1 CPR Residential (Based on RMU) Multi-Family (Based on RMU) CPC Commercial (Based on C-1) Standards¹ LR AR LR N AR AR N MR N N N N N N N N N N N N N N N N N N N N N N N N LR N N N N LR N N N N LR N N N

An existing dwelling can be modified or rebuilt as a matter of right provided it is in conformance with the dimensional standards of Table 16-F.

3.3 OPEN SPACE/TRAILS

Note that the original Vandaveer Ranch PD does not require any open space dedication or fee in lieu.

A city-owned and maintained public park of 53,986 square feet (1.26 acres) is included in the PD plan. This park will complement the South Arkansas River access in Two Rivers by providing a traditional neighborhood park for the developing southeast part of Salida.

A 10' trail easement will be provided along the entire west boundary of the property to align with the 8' trail easement approved for Two Rivers South. The applicant will construct the 8' wide concrete trail in this easement, and the City will maintain it.

A 10' trail easement is provided along the east edge of Lot 1, from the park to the connection point required by the City on the approved 6906, LLC, site plan. The applicant will not construct or maintain a trail in this easement.

A 20' trail and utility easement is provided along the north edge of Lot 12. The applicant will construct an 8' wide concrete trail to be maintained by the Confluent Park HOA.

^{*} The allowed use is conditional in the SH 291 Corridor Overlay (291 CO), Refer to Section 16-5-50 regarding the SH 291 Corridor (291 CO) District.

A 10' trail easement is provided along the south edge of Lot 7. The developer of Lot 7 shall construct an 8' wide concrete trail in this easement, prior to certificate(s) of occupancy on Lot 7. This concrete trail shall be maintained by the Confluent Park HOA.

A 10' trail easement is provided along the east edge of Lot 38. The applicant will construct an 8' wide concrete trail to be maintained by the Confluent Park HOA.

Trail easements are shown on Appendix B, PD Plan.

All CPR units will pay an open space fee. All other units will not pay an open space fee because their open space is addressed by the park and trail dedications.

3.4 Transportation Design

Cleora Road will extend from the Forest Service building to the south side of the Two Rivers South. Confluent Drive will connect Cleora Road to Old Stage Road (as approved by the City, Two Rivers South plat not yet recorded at the time of this report). Right of way designated on the east side of the property will allow a future 4-way intersection with Confluence Road, and the east end of Southside Loop. The north end of Confluent Park features a traditional block structure, offering excellent connectivity for all modes of transportation when the parcel to the east develops in the future. See Figure 4, below.



Figure 4. Connectivity Plan, depicting Two Rivers South (approved subdivision, not yet filed), 6906 LLC (site plan approved), and *potential* extension of street and alley grid to County Road 105. Not to scale.

3.4.1 INTERNAL STREET LAYOUT

Cleora Road will have all way stops at Confluence Drive and Chase Street. In addition, a colored stamped concrete crosswalk will be installed across Cleora Road at the park to provide a visual cue to drivers to slow down.

3.5 STREET SECTION

Cleora Road, Confluent Drive, and Chase Street will have water and sewer mains per City standards. Cleora Road and Confluent Road will be the City's standard street section, except that the clear distance between curbs will be 36 feet (rather than the standard 38). Chase Street will experience very little traffic, so the clear distance between curbs will be 34 feet. All full street rights of way are 60' wide (standard).

Trenton Street will be constructed with 30' minimum right of way. The street section in Figure 6 will be used, cut off at the centerline.

Proposed street sections are shown in figures 5 and 6.

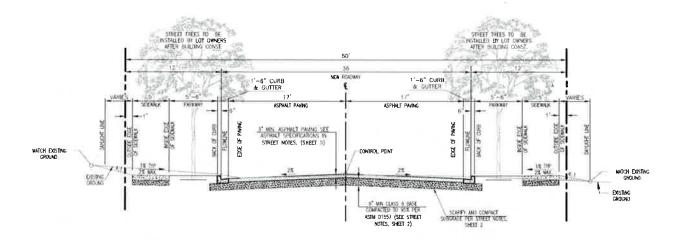


Figure 5 - Cleora Street and and Confluent Drive

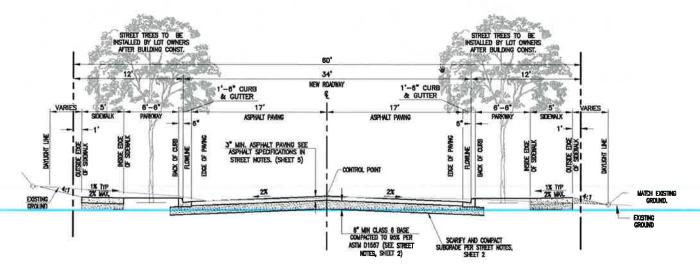


Figure 6 - Chase Street and Trenton Street (left half)

3.6 HIGHWAY 50 AND VANDAVEER RANCH ROAD INTERSECTION & TRAFFIC ANALYSIS

The intersection of Vandaveer Ranch Road and US Highway 50 was designed in anticipation of the Pinto Barn and Natural Resource Center development in VPA-4 and VPA-5. A CDOT Access permit was issued March 3, 2013 Permit No. 512046 reception no. 407231 and 407232. The permit listed the following uses:

- 733- Salida Natural Resource Center 35,500 square feet
- Pinto Barn Campus 154,900 Square feet
- Pinto Barn-Apartments 8 Each
- Pinto Barn Dormitories 40 Each

The required turn lanes for the permit were constructed on Highway 50 and are currently in place on the site to include the intersection of Vandaveer Ranch Road with the highway right of way.

The intersection has existing acceleration and deceleration lane as well as a left turn lane as shown below.



Figure 7-Vandaveer Ranch Road & Highway 50 Aerial View

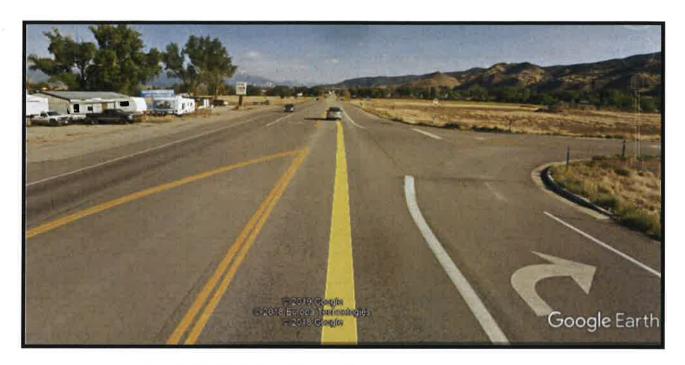


Figure 8-Highway 50 looking North West at Vandaveer Ranch Road



Figure 9-Vandaveer Ranch Road looking East from Highway 50

A traffic study listing the details of the permit uses for Pinto Barn and the Natural Resource Center is provided in Figure 10.

PARCHE 1: VPA - 5 PINTO BARN Symmaty of Trip Generation	(2011)	ENAT	URA	RESO	URCEC	EVLER										D OR	ABTREE
Squilling of mp deneration	ITE Code	Intensity		Rate	Daily Trip	AM Peak-Hour Trip Ends					PM Peak-Hour Trip Ends						
Land Use								1	In		Out			In .		Out	
					Ends	Rate	Total	%	Trips	%	Trips	Rate	Total	%	Trips	%	Trips
PINTO BARN																	
Apartments (Dormitories) *	220	48	DU	6.65	319	0.51	24	20%	5	80%	20	0.62	30	65%	19	35%	10
Condominiums/Townhouses	230	0	DU	5.81	0	0.44	0	17%	0	83%	0	0.52	0	67%	0	33%	0
Lodging (Hotel)	310	0	RM	8.17	0	0.56	0	61%	0	39%	0	0.59	0	53%	0	47%	0
Office (General)	710	0.0	GLA	11	0	1.55	0	88%	0	12%	0	1.49	0	17%	0	83%	0
Manufacturing **	140	100.0	GLA	3.82	382	0.73	73	88%	64	12%	9	0.73	73	17%	12	83%	61
Education (College) ***	540	49.9	GLA	27.5	1,372	2.99	149	88%	131	12%	18	2.54	127	17%	22	83%	105
Retail (Specialty) ****	814	5.0	GLA	44.3	222	6.84	34	48%	16	52%	18	2.71	14	44%	6	56%	8
Sub-Totals					2,295		281		217		64		243		59		184
NATURAL RESOURCE CENTER																	
Government Office (Forest Service	733	35.5	GLA	2.21	78	2.21	78	88%	69	12%	9	2.85	101	17%	17	83%	84
Sub-Totals					78		78		69		9		101		17		84
TOTALS					2,295		281		217		64		243		59		184
GLA = gross leasable area in KSF		* 2011	. PD li	ists 950	dwellin	g Units	(950-VI	PA1 400)- VPA2	130-V	PA 3 18	0-VPA4	125=11	15 unit:	s remair	ning for	· VPA-5
DU = dwelling unit		** Ass	umed	100,00	00 s.f. of	154,90	0 non-r	esident	ial to be	e manu	facturin	g s.f. as	s it was	primar	y function	on of si	te.
RM = number of room		*** As	sume	d educ	ation siz	e based	on nun	nber of	dormit	ory uni	ts and t	hat son	ne traini	ing wou	ıld be v	cation	al
Source: ITE Trip Generation, 8th Edition		**** A	ssum	ied a sh	ow roon	n and r	etail for	visitors	as PD r	mentio	ns visito	r conte	ent in PC)			

Figure 10-PINTO BARN & NATURAL RESOURCE CENTER TRAFFIC ANALYSIS

A revised traffic analysis has been completed for the Confluent Park PD Amendment, including the Natural Resource Center and is shown in Figure 11.

Summary of Trip Generation	ARK (20	191	95			-										∌ or an	ARTREE
Land Use	ITE Code	Intensity			Daily	AM Peak-Hour Trip Ends						PM Peak-Hour Trip Ends					
				Rate					In		Out			In		Out	
					Ends	Rate	Total	%	Trips	%	Trips	Rate	Total	%	Trips	%	Trips
Single Family Detached Housing *	210	26	DU	9.57	249	0.75	20	25%	5	75%	15	1.01	26	63%	17	37%	10
Apartments **	220	188	טט	6.65	1,250	0.51	96	20%	19	80%	77	0.62	117	65%	76	35%	41
Condominiums/Townhouses ***	230	75	DU	5.81	436	0.44	33	17%	6	83%	27	0.52	39	67%	26	33%	13
Lodging (Hotel)	310	0	RM	8.17	0	0.56	0	61%	0	39%	0	0.59	0	53%	0	47%	0
Office (General) ****	710	3.0	GLA	11	33	1.55	5	88%	4	12%	1	1.49	4	17%	1	83%	4
Retail (Specialty) ****	814	12.0	GLA	44.3	532	6.84	82	48%	39	52%	43	2.71	33	44%	14	56%	18
Sub-Totals					2,500		235		73		162		219		134		85
NATURAL RESOURCE CENTER																	
Government Office (Forest Service	733	35,5	GLA	2.21	78	2.21	78	88%	69	12%	9	2.85	101	17%	17	83%	84
Sub-Totals					78		78		69		9		101		17		84
Total					2,578		314		142		171		320		151		169
GLA = gross leasable area in KSF * Number of CP-R L					.ots												
DU = dwelling unit		** Incl	udes	60 LISC	units an	d 128 r	narket r	ental u	nits in (P-MF a	and CP-0	C (likely	will not	reach	this tot	al)	
RM = number of room		*** Inc	ludes	condo	muimun	n and T	ownhon	nes for	sale in (CP-MF a	and CP -	·c					
Source: ITE Trip Generation, 8th E	dition				etail and												

Figure 11-CONFLUENT PARK & NATURAL RESOURCE CENTER TRAFFIC ANALYSIS

Summary

The change in traffic volume from the Pinto Barn PD to the Confluent Park PD is only 12% and that assumes maximum buildout of the Confluent Park PD to full density. There is only a 12% increase in Average Daily Trips and a 12% increase in Peak Hour trips for the Confluent Park PD.

A copy of the Pinto Barn/Salida NRC CDOT permit is attached as Appendix C.

A new access permit will be submitted to CDOT to cover the change in use.

3.7 UTILITY DESIGN

Water mains per City of Salida standards shall be installed in Cleora Road, Confluent Drive, and Chase Street, but not Trenton Street. Trenton Street will have sewer main due to site topography and is too narrow to accommodate water main until additional right of way is dedicated. Confluent park water mains will connect to existing main in Vandaveer Ranch Road, and proposed water mains in Two Rivers South.

Sewer mains will be per City of Salida standards and will connect to the City sewer trunk line at the northeast corner of Confluent Park.

Electric, gas, and communication (all underground) will be served from alleys and access easements wherever possible in order to create separation between wet and dry utilities, and to keep equipment such as transformers and pedestals out of the streetscape and front yards.

In order to provide redundant water supply to Confluent Park, the developer will provide a water main loop from the north end of River Ridge's water main, north up Scott Street, and tie into existing city water main either in Scott Street or Highway 291 (Oak Street). This will include a PRV. This portion of water main shall be eligible for cost recovery, and must be constructed within three years of approval, or prior to the first certificate of occupancy for Confluent Park.

Utility design is subject to final approval of Salida Public Works prior to major subdivision.

3.8 STORMWATER MANAGEMENT

Per 16-8-80(d), stormwater detention will be provided so that only historic runoff from the 25-year, 24-hour storm will be released off site. Roughly 20,000 cubic feet of stormwater detention will be provided by lowering the park 1 to 2 feet below street level. Stormwater will enter the park via curb inlet/culvert, and curb openings with sidewalk chases.

Additional stormwater detention will be provided in the form of tree trenches and/or infiltration galleries. Curb inlets will drain to perforated pipes which will infiltrate stormwater in the root zone of shrubs and trees between the curb and sidewalk.

In addition, curb bumpouts will be provided at the intersection of Confluent Drive and Trenton Street. Additional stormwater detention will be provided between the sidewalk and curb.

Stormwater management is subject to final approval of Salida Public Works prior to major subdivision.

3.9 Parking Standards

Commercial uses of less than 1000 square feet shall be required no more than 2 spaces dedicated to the commercial use. Residential multi-family parking requirement shall be 1 space per unit.

3.10 ILLUMINATION STANDARDS

Street lights will be Greenshine Lumina solar lights, 1 per street intersection, or approved equal. They will be maintained by the HOA.

Street lighting is subject to final approval of Salida Public Works prior to major subdivision.

3.11 SIGN STANDARDS

Per underlying zone.

3.12 FLOOD CONTROL

Part of the Confluent Park property is within the 100-year floodplain of the South Arkansas River. A Conditional Letter of Map Revision (CLOMR) has been approved by FEMA, and the fill will be completed prior to infrastructure installation.

Floodplain review is subject to final approval of Salida Public Works and the designated community floodplain manager prior to major subdivision. All FEMA requirements will be met.

3.13 SETBACK DETAILS

Eaves, architectural projections, at-grade structures and covered porches

16-8-30(c) Covered porches which are unenclosed may encroach into the front yards setback by 50% in Confluent Park, instead of the standard 25%. For a 12' front setback, 50% is required to achieve a usable porch depth of 6'.

3.14 INCLUSIONARY HOUSING

A 2.5-acre lot shall be designated for development of 50 or more rental units deed restricted to 60% or less AMI for 30 years using Low-Income Housing Tax Credits (LIHTC). At 6.25%, these 50 units meet the inclusionary zoning requirement for the next 750 units built by Harder-Diesslin Development within Confluent Park, and future phases of Angelview Subdivision (see Figure 2). Maximum possible buildout of Confluent Park is 289 units. This leaves 750-289= 461 units for Angelview. Therefore, Angelview shall be entitled to inclusionary housing development standards if it is 461 or less units.

Due to the 2 to 3-year schedule of LIHTC projects, the applicant shall have the option to pay fees in lieu of inclusionary housing per the City's inclusionary housing ordinance on Confluent Park and Angelview. These fees shall be held in escrow by the City for 4 years maximum from the date of PD approval. If a LIHTC project is permitted by the Chaffee County Building Department within 4 years of PD approval, the City shall return fees in lieu of inclusionary housing to the applicant.

The applicant acknowledges that LIHTC projects are funded by Colorado Housing and Finance Authority (CHFA) through a competitive process. There is a possibility that Lot 1 will not be awarded a LIHTC project. In that case, the applicant will meet the City's inclusionary housing ordinance.

3.15 ARCHITECTURAL STANDARDS

The following architectural standards shall apply to CPC and CPMF zones for administrative review procedures per the use table in this PD. Projects not meeting these architectural standards shall be reviewed using the procedures specified for the underlying zone. Examples for each of the 7 architectural standards listed here are included in Appendix D.

LIHTC projects must meet architectural requirements through CHFA. Therefore, they are exempt from Confluent Park architectural standards.

- 1. Identical or mirrored layouts shall not be allowed for more than two adjacent lots.
- 2. On lots with more than 4 units, at least two different unit types shall be provided. Each unit type shall have a unique color, façade, and roof line.
- 3. Multi-family residential units closest to Cleora Road shall have a front door facing Cleora Road which leads onto a stoop or porch.
- 4. Multi-story buildings shall have a clearly defined element of separation between the ground floor and upper floors across the entire building frontage. Frontage includes any wall of a building which faces a public Right of Way or park (at street corners, more than one side of the building). One or more of the following elements, or similar element approved by staff, shall be included.
- a. porch/stoop roof
- b. change in material
- c. change in color
- d. step back upper floor
- e. awning
- f. eave
- g. light fixture.
- 5. The side of a building fronting a park or public right of way shall have windows on 20% minimum. Sides and rear shall have 10% minimum.
- 6. Parking shall be at the rear or side of the lot. If placed on the side of the lot, parking shall be set back at least 10' behind the main building frontage.
- 7. Mechanical equipment shall not be visible from public right of way, including Highway 50. Screening of equipment is acceptable. This requirement does not demand a parapet wall or mechanical penthouse.

3.16 REIMBURSEMENT AGREEMENT ITEMS

- a) Scott Street Water Main shall be cost shared based on Scott Street lot frontage.
- b) Scott Street Pressure Reducing Vault Assembly shall be cost shared based on lot area between Confluent Park and all future development south of Confluent Drive and east of US Highway 50.
- c) Trenton Street water main shall be cost shared evenly between Confluent Park, and the property owned by Ned Suesse bordering Trenton Street, when that property connects to City of Salida water mains.

APPENDIX A — LOW INCOME HOUSING TAX CREDIT POLICY BRIEF

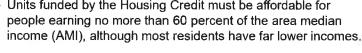


The Low-Income Housing Tax Credit

he Low-Income Housing Tax Credit (Housing Credit) stimulates investment in affordable housing in underserved urban and rural communities and in higher cost suburban communities across the nation. It provides low-income families with a safe and decent place to live and, by lessening their rent burdens, frees up additional income that can be spent on other necessities or put into savings for education or homeownership. The Housing Credit is also a vital community and economic development tool, creating jobs and catalyzing redevelopment in struggling communities.

What is the Low-Income Housing Tax Credit?

- » The Housing Credit is the single most important federal resource available to support the development and rehabilitation of affordable housing - currently financing about 90 percent of all new affordable housing development.
- » How the credit works:
 - · Federal tax credits are allocated to state housing finance agencies by a formula based on population.
 - Each state agency establishes its affordable housing priorities and developers compete for an award of tax credits based on how well their projects satisfy the state's housing needs.
 - · Developers receiving an award use the tax credits to raise equity capital from investors in their developments.
 - The tax credits are claimed over a 10-year period but the property must be maintained as affordable housing for a minimum of 30 years.
 - Because tax credits can be recaptured for any noncompliance, investors maintain close supervision over the properties to ensure their long-term viability and compliance with IRS and state allocating agency requirements.
- » Units funded by the Housing Credit must be affordable for people earning no more than 60 percent of the area median





Encanto Pointe. Phoenix, Arizona.

» Rent may not exceed 30 percent of the qualifying income.

What are the outcomes?

- » Since its inception, the Housing Credit has spurred the development of approximately three million quality homes for working families, seniors, disabled veterans, and people at risk of homelessness.
- » Each year, the Housing Credit finances about 100,000 units of affordable housing and creates approximately 96,000 **jobs** in the construction and property management industries.
- » Housing Credit properties outperform market-rate housing properties, with occupancy rates topping 96 percent and a cumulative foreclosure rate of 0.66 percent over the program's entire history.
- » The units tend to be occupied by very low-income families, with 48 percent of the units occupied by families making less than 30 percent of AMI; and 82 percent of the units occupied by families making less than 50 percent of AMI.

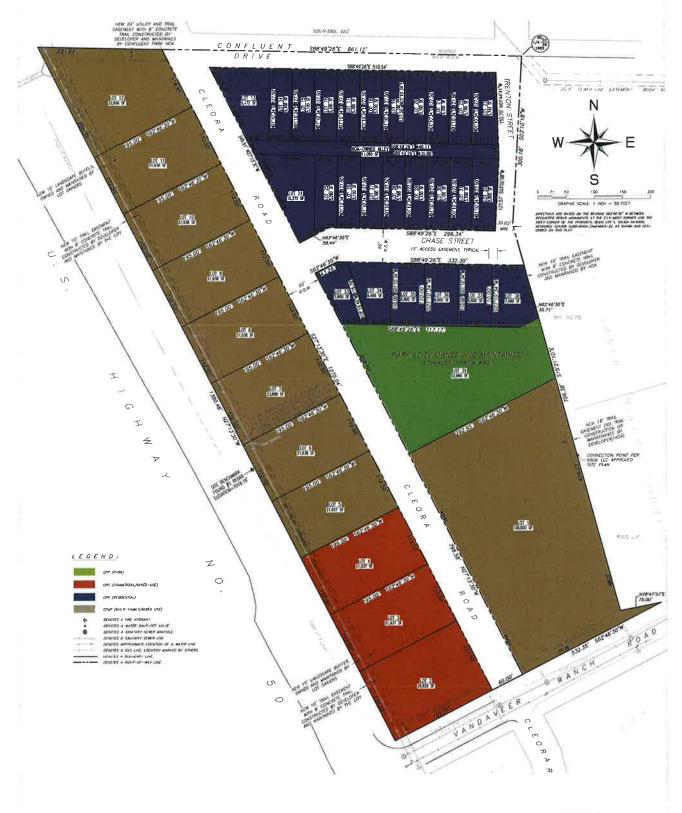
What has been LISC's involvement?

- » In 1987, LISC created National Equity Fund, Inc. (NEF) to attract investor capital to Housing Credit properties. NEF provides technical assistance, structures and closes these investments, and provides asset management services.
- » In 2018, LISC, through NEF, placed \$1.2 billion in equity investments into tax credit properties. Since inception, it has invested more than \$15.3 billion in 176,804 affordable rental residences.
- » NEF has established dedicated pools of funding to finance housing that is linked to healthcare services, housing for homeless veterans, and housing for victims of natural disasters.
- » Example of Housing Credit properties supported by NEF include:
 - Parksdale Village II, located in the agrarian Central Valley of California, is an overdue and welcome alternative to the older, overcrowded housing that most low-income farm workers have endured. The development contains 49 energy-efficient multifamily residences targeted to households whose incomes range from 30 to 60 percent of AMI.
 - Encanto Pointe, located in Phoenix, Ariz., is home to chronically homeless community members, including veterans and in particular Native American veterans. It is a modern energy-efficient complex that sets the standard for future developments in its Phoenix neighborhood. Its sponsor, Native American Connections, applied the Housing First model to this 54-unit community serving the homeless. Housing First is based on the belief that helping people access permanent affordable housing is central to creating effective supportive services programs.
 - JBJ Soul Homes in Philadelphia, Pa., is home to 55 formerly homeless and low-income individuals and young adults transitioning out of programs for homeless teens. Twenty-five of the studios are furnished and available as permanent supportive housing with services inclusing basic medical care, employment training and educational classes provided by Project HOME. Nationally recognized as a premier non-profit developer, Project HOME has been at the forefront of the battle against homelessness.

What can Congress do?

- » Enact the Affordable Housing Credit Improvement Act. This legislation would:
 - Streamline requirements and provide states with additional flexibility;
 - Facilitate Housing Credit development in challenging markets like rural and Native American communities;
 - Increase the Housing Credit's ability to serve extremely low-income tenants;
 - Better support the preservation of existing affordable housing; and
 - Enhance the 4% Credit and multifamily housing bond portion of the program.
- » Expand the Housing Credit by at least 50%, consistent with a recommendation that was made by the Bipartisan Policy Center's Housing Commission.

APPENDIX B — CONFLUENT PARK PD PLAN





1/14/2020

APPENDIX C - CPC AND CPMF ARCHITECTURAL STANDARDS

1. Identical or mirrored layouts shall not be allowed for more than two adjacent lots.





NO

YES

2. On lots with more than 4 units, at least two different unit types shall be provided. Each UNIT TYPE shall have a unique color, façade, and roof line.



3. Multi-family residential units closest to Cleora Road shall have a front door facing Cleora Road which leads onto a stoop or porch.







NOTE: PER CODE, PORCH MAY TAKE UP ONLY 25% OF FRONT SETBACK. PD AMENDMENT CHANGES THIS TO 50%.

STAFF CONCERNED WITH ELECTRICAL/GAS PLACEMENT – LET DEVELOPER COORDINATE.

- 4. Multi-story buildings shall have a clearly defined element of separation between the ground floor and upper floors across the entire building frontage. Frontage includes any wall of a building which faces a public Right of Way or park (at street corners, more than one side of the building). One or more of the following elements, or similar element approved by staff, shall be included.
 - a. porch/stoop roof
 - b. change in material
 - c. change in color
- d. step back upper floor
- e. awning
- f. eave
- g. light fixture.









5. The side of a building fronting a park or public right of way shall have windows on 20% minimum. Sides and rear shall have 10% minimum.





YES



6. Parking shall be at the rear or side of the lot. If placed on the side of the lot, parking shall be set back at least 10' behind the main building frontage.





YES

NO

7. Mechanical equipment shall not be visible from public right of way, including Highway 50. Screening of equipment is acceptable. This requirement does not demand a parapet wall or mechanical penthouse.



APPENDIX D — SALIDA NRC AND PINTO BARN CDOT ACCESS PERMIT

STATE HIC	GHWAY A	NSPORTATION ACCESS PERMI	Т		CDOT	Permit No. 512046
						Ighway No/Mp/Side 50/222.999/Righ
Permit fon \$300		Date of transmittal	Ragion/Section			urladiction
		03/27/2013		05/07/35		City of Salida
The Permittee(s)	i.		The Applicant(s):	***************************************	-	
Salida Natu	ral Resource C	enter Dev. Corp.	REGen, LLC			
ATTN: Dat	ra MacDonald	•		enth Street, Sui	te 2500 🗼	(A) F1
448 East Fir			Denver, CO 8	0202		
Salida, CO 8			303-295-1731		i	22010 Var
719-530-262	26		rwells@regen	lle.com	Solida	22070 vat Mc 4-24-13 Natural Re
by the issuing authori appointed agents end the permit.	th it at any time th	n access to the state highway he State Highway Access Cod a permitted access and its use be held harmless against any	o ario ary macamens,	terms, conditions	hali be construct and exhibits. Th	led, maintained and i his permit may be rev
Location:						
		South side of State Highwa	y 050, a distance of	approximately 5	275 feet East (of Milepost 222.
Access to Provide	e Service to:	(Land Use Code;)		(Size or Cremt)	(Units)	***************************************
		733 - Salida Natural		35,500	SQ FT	
		540 - Pinto Barn Ca	mpus	154,900	SQ FT	
		220 - Pinto Barn - A	partments	8	EACH	
		220 - Pinto Barn - D	ormitories	40	EACH	
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State Highway Access Permit Form 101, Page 2

The following paragraphs are excerpts of the State Highway Access Code.

These are provided for your convenience but do not alleviate compliance with all sections of the Access Code. A copy of the State Highway Access Code is available from your local issuing authority (local government) or the Colorado Department of Transportation (Department). When this permit was issued, the issuing authority made its decision based in part on information submitted by the applicant, on the access category which is assigned to the highway, what alternative access to other public roads and streets is available, and safety and design standards. Changes in use or design not approved by the permit or the issuing authority may cause the revocation or suspension of the permit.

APPEALS

- 1. Should the permittee or applicant object to the denial of a permit application by the Department or object to any of the terms or conditions of a permit placed there by the Department, the applicant and permittee (appellant) have a right to appeal the decision to the [Transportation] Commission [of Colorado]. To appeal a decision, submit a request for administrative hearing to the Transportation Commission of Colorado within 60 days of transmittal of notice of denial or transmittal of the permit for signature. Submit the request to the Transportation Commission of Colorado, 4201 East Arkansas Avenue, Denver, Colorado 80222-3400. The request shall include reasons for the appeal and may include changes, revisions, or conditions that would be acceptable to the permittee or applicant.
- Any appeal by the applicant or permittee of action by a local issuing authority shall be filed with the local authority and be consistent with the appeal procedures of the local authority.
- 3. In submitting the request for administrative hearing, the appellant has the option of including within the appeal a request for a review by the Department's internal administrative review committee pursuant to [Code] subsection 2.10. When such committee review is requested, processing of the appeal for formal administrative hearing, 2.9(5) and (6), shall be suspended until the appellant notifies the Commission to proceed with the administrative hearing, or the appealant submits a request to the Commission or the administrative law judge to withdraw the appeal. The two administrative processes, the Internal administrative review committee, and the administrative hearing, may not run concurrently.
- 4. Regardless of any communications, meetings, administrative reviews or negotiations with the Department or the Internal administrative review Committee regarding revisions or objections to the permit or a denial, if the permittee or applicant wishes to appeal the Department's decision to the Commission for a hearing, the appeal must be brought to the Commission within 60 days of transmittal of notice of denial or transmittal of the permit.

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PERMIT EXPIRATION

1. A permit shall be considered expired if the access is not under construction within one year of the permit issue date or before the expiration of any authorized extension. When the permittee is unable to commence construction within one year after the permit issue date, the permittee may request a one year extension from the issuing authority. No more than two one-year extensions may be granted under any circumstances. If the access is not under construction within three years from date of issue the permit will be considered expired. Any request for an extension must be in writing and submitted to the issuing authority before the permit expires. The request should state the reasons why the extension is necessary, when construction is anticipated, and include a copy of page 1 (face of permit) of the access permit. Extension approvals shall be in writing. The local issuing authority shall obtain the concurrence of the Department prior to the approval of an extension, and shall notify the Department of all denied extensions within ten days. Any person wishing to reestablish an access permit that has expired may begin again with the application procedures. An approved Notice to Proceed, automatically renews the access permit for the period of the Notice to Proceed.

CONSTRUCTION

- Construction may not begin until a Notice to Proceed is approved. (Code subsection 2.4)
- 2. The construction of the access and its appurtenances as required by the terms and conditions of the permit shall be completed at the expense of the permittee except as provided in subsection 2.14. All materials used in the construction of the access within the highway right-of-way or on permanent easements, become public property. Any materials removed from the highway right-of-way will be disposed of only as directed by the Department. All fencing, guard rail, traffic control devices and other equipment and materials removed in the course of access construction shall be given to the Department unless otherwise instructed by the permit or the Department inspector.
- 3. The permittee shall notify the individual or the office specified on the permit or Notice to Proceed at least two working days prior to any construction within state highway right-of-way. Construction of the access shall not proceed until both the access permit and the Notice to Proceed are issued. The access shall be completed in an expeditious and sale manner and shall be finished within 45 days from initiation of construction within the highway right-of-way. A construction time extension not to exceed 30 working days may be requested from the individual or office specified on the permit.
- 4. The issuing authority and the Department may inspect the access during construction and upon completion of the access to ensure that all terms and conditions of the permit are met. Inspectors are authorized to enforce the conditions of the permit during construction and to halt any activities within state right-of-way that do not comply with the provisions of the permit, that conflict with concurrent highway construction or maintenance work, that endanger highway.

properly, natural or cultural resources protected by law, or the health and safety of workers or the public.

- 5. Prior to using the access, the permittee is required to complete the construction according to the terms and conditions of the permit. Failure by the permittee to abide by all permit terms and conditions shall be sufficient cause for the Department or issuing authority to initiate action to suspend or revoke the permit and close the access. If in the determination of the Department or issuing authority the failure to comply with or complete the construction requirements of the permit create a highway safety hazard, such shall be sufficient cause for the summary suspension of the permit. If the permittee wishes to use the access prior to completion, arrangements must be approved by the issuing authority and Department and included in the permit. The Department or issuing authority may order a halt to any unauthorized use of the access pursuant to slatutory and regulatory powers. Reconstruction or improvement of the access may be required when the permittee has failed to meet required specifications of design or materials. If any construction element fails within two years due to improper construction or material specifications, the permittee shall be responsible for all repairs. Failure to make such repairs may result in suspension of the permit and closure of the access.
- The permittee shall provide construction traffic control devices at all times during access construction, in conformance with the M.U.T.C.D. as required by section 42-4-104, C.R.S., as amended.
- 7. A utility permit shall be obtained for any utility work within highway right-of-way. Where necessary to remove, relocate, or repair a traffic control device or public or private utilities for the construction of a permitted access, the relocation, removal or repair shall be accomplished by the permittee without cost to the Department or issuing authority, and at the direction of the Department or utility company. Any damage to the state highway or other public right-of-way beyond that which is allowed in the permit shall be repaired immediately. The permittee is responsible for the repair of any utility damaged in the course of access construction, reconstruction or repair.
- 8. In the event it becomes necessary to remove any right-of-way fence, the posts on either side of the access shall be securely braced with an approved end post before the fence is cut to prevent any slacking of the remaining fence. All posts and wire removed are Department property and shall be turned over to a representative of the Department.
- 9. The permittee shall ensure that a copy of the permit is available for review at the construction site at all times. The permit may require the contractor to notify the individual or office specified on the permit at any specified phases in construction to allow the field inspector to inspect various aspects of construction such as concrete forms, subbase, base course compaction, and materials specifications. Minor changes and additions may be ordered by the Department or local authority field inspector to meet unanticipated site conditions.

10. Each access shall be constructed in a manner that shall not cause water to enter onto the roadway or shoulder, and shall not interfere with the existing drainage system on the right-of-way or any adopted municipal system and drainage plan..

11. By accepting the permit, permittee agrees to save, indemnify, and hold harmless to the extent allowed by law, the issuing authority, the Department, its officers, and employees from suits, actions, claims of any type or character brought because of injuries or damage sustained by any person resulting from the permittee's use of the access permit during the construction of the access.

CHANGES IN ACCESS USE AND PERMIT VIOLATIONS

- 1. It is the responsibility of the property owner and permittee to ensure that the use of the access to the property is not in violation of the Code, permit terms and conditions or the Act. The terms and conditions of any permit are binding upon all assigns, successors-in-interest, heirs and occupants. If any significant changes are made or will be made in the use of the property which will affect access operation, traffic volume and or vehicle type, the permittee or property owner shall contact the local issuing authority or the Department to determine if a new access permit and modifications to the access are required.
- When an access is constructed or used in violation of the Code, section 43-2-147(5)(c), C.R.S., of the Act applies. The Department or issuing authority may summarily suspend an access permit and immediately order closure of the access when its continued use presents an immediate threat to public health, welfare or safety. Summary suspension shall comply with article 4 of title 24, C.R.S.

MAINTENANCE

1. The permittee, his or her heirs, successors-in-interest, assigns, and occupants of the property serviced by the access shall be responsible for meeting the terms and conditions of the permit, the repair and maintenance of the access beyond the edge of the roadway including any cattle guard and gate, and the removal or clearance of snow or ice upon the access even though deposited on the access in the course of Department snow removal operations. Within unincorporated areas the Department will keep access culverts clean as part of maintenance of the highway drainage system. However, the permittee is responsible for the repair and replacement of any access-related culverts within the right-of-way. Within incorporated areas, drainage responsibilities for municipalities are determined by statute and local ordinance. The Department will maintain the roadway including auxiliary lanes and shoulders, except in those cases where the access installation has falled due to improper access construction and/or failure to follow permit requirements and specifications in which case the permittee shall be responsible for such repair. Any significant repairs such as culvert replacement, resurfacing, or changes in design or specifications, requires authorization from the Department.

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Permit Number 512046 State Highway 050, Milepost 222.999 Right Salida Natural Resource Center/Pinto Barn Campus Access

LEVEL 3 - ACCESS PERMIT TERMS & CONDITIONS FULL-MOVEMENT ACCESS WITH AUXILIARY LANES

A. PERMIT REQUIREMENTS SPECIFIC TO THIS ACCESS:

- Permit Number 512046 is issued by the Colorado Department of Transportation (CDOT) in accordance with the 1998 Access Code and is based upon the information submitted by the Permittee. Any changes in the herein permitted type and use and/or volume of traffic using the access, drainage, or other operational aspects shall render this permit void, requiring that a new application be submitted for review based upon currently existing and anticipated future conditions. This permit replaces and voids all previous access permits for this location.
- 2. Permit Number 512046 is issued for the construction and use of:
 - A Paved Full-Movement access on State Highway 050 for Salida Natural Resource Center/Pinto Barn Campus at approximate mile marker 222,999 Right.
 - b. A left ingress deceleration lane from State Highway 050 into the access.
 - c. A right ingress deceleration lane from State Highway 050 into the access.
 - d. A right egress acceleration lane from the access onto State Highway 050.
- The access shall be <u>Paved a distance of 50 feet</u> from the edge of traveled way and may be
 paved or gravel surfaced any remaining distance within State Highway ROW. The access shall
 have a width of <u>36 feet</u> and radius of <u>50 feet</u>.
- 4. The access shall be <u>perpendicular</u> to the travel lanes of the State Highway for a minimum distance of 40 feet from the edge of pavement or to the ROW, whichever is furthermost. <u>It shall slope down and away</u> from the adjacent pavement edge at a rate of <u>two percent (2%)</u> for a minimum of <u>20 feet</u>, then not to exceed <u>eight percent (8%)</u> grade up or down to the ROW line.
- 5. Temporary Traffic Control, with prior written approval by CDOT, is required at all times during construction of the access in accordance with the Traffic Control Plan (TCP) and corresponding Methods of Handling Traffic (MHT). The MHT's shall be developed and implemented by a Traffic Control Supervisor (TCS) certified by the American Traffic Safety Services Association (ATSSA) or the Colorado Contractors Association (CCA).
- The category for this section of Highway <u>050</u> is <u>NR-A</u>. The access shall be in conformance with the State of Colorado State Highway Access Code, Volume Two, Code of Colorado Regulations 601-1, August 31, 1998 as amended.
- The access shall serve tracts of land described as <u>Tract 2. Vandaveer Subdivision according to the plat thereof recorded on June 3, 2004 as Reception No. 343953; Parcels B. C. D. E. and F. Vandaveer Ranch, as more particularly described in Special Warranty Deed recorded on February 23, 2012 as Reception No. 398604; all as
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recorded in the Chaffee County, Colorado Clerk and Recorder's Office.

- 8. Incorporated as part of this permit are the following:
 - State Highway Access Permit pages 1-3 and Page 101a
 - b. Access Permit Terms and Conditions Pages 1 through 10
 - c. EXHIBIT "A," (Traffic Impact Study dated May 21, 2012)
 - d. EXHIBIT "B," Reserved (Plans)
 - e. CDOT Late Fall, Winter and Spring Special Provisions for Access Construction and Utility Installations
 - f. CDOT Environmental Clearances Information Summary
 - g. Water Quality Program Summary
 - State Highway Access Permit Application (CDOT Form No. 137) received November 9, 2012
- 9. This Permit describes the access and improvements that will serve the following land uses:
 - a. Salida Natural Resource Center (ITE Code 733), 35,500 Square Feet
 - b. Pinto Barn Campus (ITE Code 540), 154,900 Square Feet
 - c. Pinto Barn Campus Apartments (ITE Code 220), Eight (8) units
 - d. Pinto Barn Campus Dormitories (ITE Code 220), Forty (40) units
- 10. This permit is only for the purpose stated herein. Any changes in the type, use and/or volume of traffic using the access will require a new permit.
- 11. The maximum traffic generation to <u>State Highway 050</u> for the development listed in <u>9</u> above is as follows:
 - a. Natural Resource Center/Pinto Barn Campus shall generate no more than a maximum of 1.901 daily new external vehicle trips, 192 AM Peak Hour movements, and 197 PM Peak Hour movements as identified in EXHIBIT "A.".
- 12. If any future development impacts this State Highway connection, CDOT will review the changes and shall determine if a traffic impact study is needed. CDOT will make the determination based on the potential degradation of the access below an acceptable level of service "C" for the classification of State Highway 050 of National Truck Route in Mountainous terrain. If in the sole judgment of CDOT a new traffic impact study is needed, it shall be completed at no cost to CDOT and the new development shall be required to mitigate any impacts revealed by the traffic impact study.
- 13. At the access location, <u>State Highway 050</u> has a posted speed limit of <u>55 mph</u> with approximate <u>6:1 foreslopes</u> and an Average Daily Traffic of <u>5,200</u> which correlates to a minimum Clear Zone of <u>20</u> feet from the edge of traveled way. The Permittee/Contractor shall take the minimum Clear Zone into consideration during the design and construction of the access.
- 14. Any damaged curb and gutter, sidewalk and abandoned curb cuts along the property adjacent to the State Highway shall be replaced as part of this project.

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- 15. All required access improvements will be installed prior to any use of this access.
- 16. The Permittee shall record a true and correct copy of this permit at the <u>Chaffee</u> County Court House upon issuance by the Department of Transportation. Written certification of the recordation shall be provided to the Department within thirty (30) days of the permit issue date.

B. REQUIREMENTS PRIOR TO NOTICE-TO-PROCEED (NTP) FOR CONSTRUCTION:

- A <u>written request for a Notice to Proceed</u> must be submitted to this issuing office along with the following items. Only after the Permittee complies with items a through 1 of this section will a <u>Notice-to-Proceed (NTP)</u> be issued to allow the commencement of construction.
 - a. The Permittee shall provide <u>written approval</u> from the Local Authority for the proposed land use that will be served by the access. Granting of an access permit in no way implies CDOT concurrence or non-concurrence with the Permittee's proposed land use.
 - b. Once the Land Use has been approved by the Local Authority, the Permittee will furnish the Colorado Department of Transportation (CDOT) a minimum of three (3) sets of design plans stamped by a Colorado registered professional engineer for review.
 - c. Once accepted, CDOT will sign the plans as approved. Once approved, the design plans will become final and labeled EXHIBIT "B," (Plans) and incorporated as part of this permit. The access approach and all related highway improvements will be constructed in accordance with the approved final design plans. The remainder of the terms and conditions of this permit shall refer to the final design plans as EXHIBIT "B," reserved. If the Permittee wishes a waiver from the design standards the request shall be in conformance with section 4.12 of the State Highway Access Code utilizing CDOT Form No. 112. CDOT may or may not approve the waiver. CDOT will only issue a NTP for approved designs.
 - d. The Permittee shall provide documentation showing that current (less than 1 year old) CDOT approved mix designs will be used for Hot Mix Asphalt (HMA) and Concrete as well as documentation listing the sources of materials for use on the project. The documentation shall be submitted to the CDOT Region 5 Permit Program Manager for verification a minimum of five (5) working days prior to the requested NTP date. A NTP shall NOT be issued PRIOR to obtaining approval for all materials from the Region Materials Engineer (RME).
 - e. The Permittee shall provide a <u>Traffic Control Plan (TCP)</u> which will be <u>submitted as part of the aforementioned design plans</u>. The TCP shall include the typical applications (which may be a reference to one or more of the cases illustrated in the MUTCD or in the CDOT S Standard Plans) showing the different phases of construction, the locations of signs, signals, and pavement marking. A tabulation of necessary

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pavement markings, signing quantities, schedule of construction traffic control devices and project specifications are also required. In addition to the TCP, the actual Methods of Handling Traffic (MHT) shall be submitted by the Traffic Control Supervisor (TCS) at the pre-construction conference. Any additional MHT's required during the course of construction shall be submitted to the Region 5 Permit Program Manager for review and acceptance a minimum of three (3) working days prior to the desired implementation date. Traffic Control of any nature will not be allowed unless authorized in writing by CDOT.

- f. A Performance Bond to CDOT shall be required to be in place to insure completion of the required highway improvements in conformance with all CDOT standards and specifications. The bond must be in the amount of at least 110% of the cost of the construction, A Cost Estimate certified by the Engineer and a draft of the bond must be provided to CDOT for review and approval by CDOT before acceptance of the final bond and before construction is allowed to commence. Upon completion and acceptance of the highway improvements, CDOT will release the performance bond after an approved Warranty Bond in the amount of 20% of the cost of the construction is received. The warranty bond shall be held for two (2) years after the construction acceptance date.
- g. The Permittee/Contractor is required to obtain Insurance in conformance with Standard Special Provision Revision of Section 107 Responsibility for Damage Claims, Insurance Types and Coverage Limits. Copies of insurance coverage will be submitted to the Region 5 Permit Program Manager prior to the issuing of the NTP. A copy of the insurance policy is required to be available at the construction site at all times for inspection.
- h. The Department will require the Permittee to retain a Professional Engineer (PE) to be in Responsible Charge of Construction Observation. A written confirmation from the Permittee is required to show that the requirement in this term is met.
- i. A Construction Schedule detailing the execution of the project shall be submitted to the Region 5 Permit Program Manager.
- j. A pre-construction conference is required prior to the issuance of the NTP. It is the responsibility of the Permittee to schedule and coordinate this meeting. At least five (5) working days prior to the pre-construction conference the Permittee will submit the following packet of information to CDOT for review:
 - a. Material Submittals
 - b. Asphalt and Concrete Mix Designs
 - c. Methods of Handling Traffic
 - d. Performance Bond
 - e. Liability Insurance
 - f. Witten confirmation of PE for Construction
- k. The Permittee/Contractor must contact the Region 5 Permit Program Manager at 3803

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> > North Main Avenue, Durango, CO or telephone (970) 385-8360 to schedule a <u>pre-construction conference</u>. Proof of this pre-inspection meeting must be provided along with the written request for Notice to Proceed.

C. GENERAL DESIGN REQUIREMENTS:

- 1. Design of improvements within the highway ROW shall be in compliance with the most current editions of the following manuals and documents except as indicated:
 - a. CDOT Design Guide
 - b. CDOT Drainage Design Manual
 - c. CDOT Standard Plans M&S Standards
 - d. AASHTO Roadside Design Guide
 - e. AASHTO Policy on Geometric Design of Highways and Streets
 - f. CDOT Standard Specifications for Road and Bridge Construction
 - g. CDOT Standard Special Provisions
 - h. Manual on Uniform Traffic Control Devices (MUTCD)
 - i. 1998 State Highway Access Code, Volume 2, Code of Regulations 601-1, as amended
 - j. ITE Traffic Engineering Handbook
 - k. ITE Trip Generation Manual, 6th Edition
- 2. The design standards listed under item 1 of this section will override the final design plans, **EXHIBIT "B,"** reserved should an oversight, omission or conflict occur.
- CDOT assumes no liability or responsibility whatsoever for the accuracy, completeness or
 correctness of the Permittee's final design plans, <u>EXHIBIT "B,"</u> reserved. Any design errors
 are the sole responsibility of the Permittee and their Engineer.
- 4. Permittee is required to comply with the Americans with Disabilities Act Accessibility Guidelines (ADAAG) that have been adopted by the U.S. Architectural and Transportation Barriers Compliance Board (Access Board), and incorporated by the U.S. Attorney General as a federal standard. These guidelines are defining traversable slope requirements and prescribing the use of a defined pattern of truncated domes as detectable warnings at street crossings. The current Standard Plans reflect these requirements.
- 5. It is the responsibility of the Permittee/Applicant to determine which environmental clearances and/or regulations apply to the project, and to obtain any clearances that are required directly from the appropriate agency. Please refer to "CDOT Environmental Clearance Information Summary" for details. FAILURE TO COMPLY WITH REGULATORY REQUIREMENTS MAY RESULT IN SUSPENSION OR REVOCATION OF THE CDOT ACCESS PERMIT, OR ENFORCEMENT ACTIONS BY OTHER AGENCIES.
- 6. ALL discharges are subject to the provisions of the Colorado Water Quality Control Act and the Colorado Discharge Permit Regulations. Prohibited discharges include substances such as: wash water, paint, automotive fluids, solvents, oils or soaps.

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- 7. Unless otherwise identified by CDOT or the Colorado Department of Public Health and Environment (CDPHE) Water Quality Control Division (WQCD) as significant sources of pollutants to the waters of the State, the following discharges to storm water systems are allowed without a Colorado Discharge Permit System permit: landscape irrigation, diverted stream flows, uncontaminated ground water infiltration to separate storm sewers, discharges from potable water sources, foundation drains, air conditioning condensation, irrigation water, springs, footing drains, water line flushing, flows from riparian habitats and wetlands, and flow from fire fighting activities. However, construction activities may require a Construction Stormwater Permit(s) or separate permits from CDPHE or the appropriate agency before commencement of work. For additional information and forms, go to the CDPHE website at: http://www.cdphe.state.co.us/wq/PermitsUnits/wqcdpmt.html or contact the CDOT Water Quality Program Manager at 303-757-9343.
- 8. Any removal of existing fence, in excess of opening required for the access, or installation of a fence that is erected adjacent to the highway ROW requires a separate CDOT Fencing Agreement. All fencing described by the CDOT Fencing Agreement shall be shown in the design plans.
- Any landscaping within CDOT ROW requires a separate <u>CDOT Landscaping Permit</u>. All landscaping described by the CDOT Landscaping Permit shall be shown in the design plans.
- 10. Any Utility work within CDOT ROW requires a separate CDOT Utility Permit. All utilities and utility work described by the CDOT Utility Permit shall be shown in the design plans.

D. <u>DRAINAGE DESIGN REQUIREMENTS:</u>

- 1. No site drainage from the constructed access shall enter onto the traveled way of the highway.
- Drainage to the State Highway Right-of-Way shall not exceed the historical undeveloped rate
 of flow. Detention ponds may be required to control drainage flow from developed properties
 at or below historical flow rates.
- 3. Any drainage study shall consider and the design reflect the 25 year flood for rural two lane highways, 50 year flood for four lane highways, and 100 year flood in all urban areas.
- 4. Required Cross Culverts under the State Highway, Side Drain Culverts under the Access, Curb, Gutter, Inlets, Manholes, Sidewalk and Driveways shall conform to CDOT Standards and facilitate proper drainage along the State Highway. Culvert ends not contained within manholes or inlets shall be fitted with standard end sections. The Drainage design shall be included in EXHIBIT "B," reserved.

E. PAVEMENT DESIGN REQUIREMENTS:

1. Pavement design materials shall conform with:

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- a. Section 304 Aggregate Base Course (ABC) Class 1 or 2 and Class 6, with resistance values of at least 70 and 76 respectively when tested by the Hyeem Stabilometer method.
- b. Section 403 Hot Mix Asphalt Grading S or SX.
- c. Section 412 & 601 Concrete Pavement Class P = 4,200 psi
- 2. The permittee/applicant is responsible for submitting a pavement design for improvements within current or proposed CDOT ROW. At its discretion, CDOT may provide the pavement design required for the improvements.

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F. FINAL STABILIZATION REQUIREMENTS:

- 1. Topsoil, seeding, fertilizer and mulching shall be required within the ROW limits on all disturbed areas not surfaced immediately upon completion of the access.
- A minimum of 4 inches of topsoil shall be placed on all slopes which are to be seeded and mulched.
- 3. The following types of seed and application rates shall be used unless a separate Landscaping Permit states otherwise:

Seed Requirements: COMMON NAME LBS. BOTANICAL NAME PLS\ACRE Western Wheatgrass (V. Arriba) Pascopyrum Smithii 16 Slender Wheatgrass (V. San Luis) Elymus Trachycaulus 6 Indian Ricegrass (V. Paloma) 6 Oryzopsis Hymenoides Hard Fescue (V. Durar) 6 Festuca Ovina Duriuscula 4 Alsike Clover Trifolium Hybridium Sand Dropseed Sporobolus Cryptandrus 0.50

Seed shall be mechanically drilled to a depth of 0.25 or 0.5 inches into the soil on slopes flatter than 3:1. Seed shall be broadcast on slopes 3:1 or steeper and raked into soil.

4. Fertilizer Requirements:

Total lbs/acre

Nutrient Type	% AVAILABLE	LBS\ACRE
Nitrogen:	18	45
Phosphorus:	46	115
Fertilizer shall be incorporated to	a depth of 2" to 4" into the topsoil.	

Mulching Requirements and Application: 2 tons/acre straw mechanically crimped into soil
on slopes flatter than 3:1. Place a soil retention blanket consisting of woven wood or straw
coconut material on slopes 3:1 or steeper.

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G. GENERAL CONSTRUCTION REQUIREMENTS:

- 1. A COPY OF THIS PERMIT AND THE VALIDATED NOTICE TO PROCEED MUST BE ON THE JOB WITH THE CONTRACTOR AT ALL TIMES OR ANY WORK ONSITE AND OFFSITE WILL BE ORDERED TO BE IMMEDIATELY SUSPENDED UNTIL THIS TERM IS COMPLIED WITH.
- 2. The PE in responsible charge of construction observation shall evaluate insure compliance with plans and specifications with regard to the roadway improvements and Traffic Control within the State Highway ROW. The PE's responsibilities shall be as defined in Section 5 of the BYLAWS AND RULES OF THE STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS and the relevant sections of the latest CDOT Standard Specifications for Road and Bridge Construction. The PE shall be experienced and competent in road and bridge construction management, inspection and materials testing.
- Construction Activities within the highway ROW shall be in compliance with the most current editions of the following manuals:
 - a. CDOT Standard Specifications for Road and Bridge Construction
 - b. CDOT Standard Special Provisions
 - c. CDOT Standard Plans M&S Standards
 - d. CDOT Construction Manual
 - e. CDOT Field Materials Manual
 - f. CDOT Laboratory Manual of Test Procedures
 - g. Manual on Uniform Traffic Control Devices (MUTCD) Part IV and the Colorado Supplement
 - h. EXHIBIT "B," reserved
- 4. The Permittee/Contractor is responsible for obtaining any necessary additional <u>Federal</u>, <u>State and/or City/County permits or clearances</u> required for construction of the access. Approval of this access permit does not constitute verification of this action by the Permittee.
- 5. The Permittee will be responsible for verification of existing utility locations. The Permittee must notify owners or operators of underground utility facilities at least two (2) business days prior to beginning excavation in the vicinity of such facilities, as required under Section 9-1.5-103, Colorado Revised Statutes. Call Utility Notification Center of Colorado (UNCC), 1-800-922-1987 for marking of member utilities. Call non-member utilities directly.
- 6. The Permittee/Contractor shall coordinate access construction with any utility installations.
- Any damage to utilities during construction shall be the Permittee's responsibility to repair or replace the utility at no cost to the Department.
- The Permittee/Contractor shall not make any changes to the access design without prior approval from the Region 5 Permit Program Manager or other authorized Region 5 CDOT

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representative. If necessary, minor changes, corrections, and/or additions to this permit will be ordered by CDOT to meet unanticipated site conditions.

 Any damage to any existing highway facilities shall be repaired by the Permittee prior to continuing other work.

H. SAFETY, WORKING TIMES AND TRAFFIC CONTROL:

- CDOT reserves the right to suspend any construction activities, to include Traffic Control, that
 interfere with the safe operation of the State Highway. Any such suspensions shall require a
 written plan of action detailing how the Permittee/Contractor will prevent further safety
 infractions prior to recommencing construction activities.
- All equipment, materials or any other non-crashworthy item shall be stored outside the clear zone during non-working times.
- Existing highway signs requiring removal within the limits of the construction activities shall
 be removed and delivered to the CDOT Maintenance Shop for storage and future replacement
 by the Permittee unless otherwise agreed to by CDOT and Permittee. Installation shall be as
 directed by CDOT.
- 4. The Permittee/Contractor will be responsible for keeping the State Highway travel lanes and shoulders clear of any mud or debris tracked onto it throughout construction of the access on a daily basis or as otherwise directed by CDOT.
- 5. The existing paved shoulder edge shall not be saw cut back until the future pavement is ready to be installed. The shoulder shall be saw cut a minimum of one (1) foot from the existing pavement edge to assure a straight edge for placement of adjacent asphalt material.
- 6. Any pavement drop-offs that will be left overnight shall be delineated with appropriate channelizing devices and any reasonably obtained lateral buffer space.
- 7. Any required pavement marking(s) and signing shall be installed by the Permittee/Contractor prior to opening any roadway to traffic.
- 8. The Permittee/Contractor shall comply with Revision of Section 107.06 of the CDOT Specifications regarding Safety, Health, and Sanitation Provisions.
- No work within the highway ROW will be allowed on Saturdays, Sundays, legal holidays, or during periods of adverse weather conditions.
- 10. All construction activities within the state highway ROW will not be allowed to begin before sunrise and shall be required to cease prior to sunset. Traffic Control operations may begin one half hour before sunrise and continue until one half hour after sunset.

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Date Recorded: 5/9/2013 11:21:00 AM

Permit Number 512046 State Highway 050, Milepost 222,999 Right Salida Natural Resource Center/Pinto Barn Campus Access

11. No disruption of traffic flow will be allowed during the morning (7:00 AM to 8:30 AM) and evening (4:30 PM to 6:00 PM) peak hour traffic flows, unless otherwise authorized in writing by CDOT.

I. FINAL PROJECT ACCEPTANCE:

- 1. Engineering Certification Letter: Prior final acceptance by CDOT, the PE shall certify to CDOT in writing that all inspections, materials, materials testing, and construction methods conform to the plans, specifications and purpose of the design. The letter shall be submitted to the Region 5 Permit Program Manager, Colorado Department of Transportation, 3803 Main Avenue, Suite 100, Durango, Colorado 81301. The certification letter shall:
 - a. Have the stamp and signature of the PE in responsible charge of construction observation signifying that the engineering services addressed therein have been performed by the PE, or directly under the PE's supervision.
 - b. Be based upon the PE's knowledge, information and belief regarding the project.
 - c. Be in accordance with applicable standards of practice.
- 2. Upon completion of the work, the Engineer shall submit 3-sets of "As Constructed" plans showing in detail all ROW easements, construction improvements and any modifications or revisions. The "As Constructed" Plans shall also show all wiring, cabling, locations and depths of conduit, in conformance with Section 614.10(a) of the Standard Specifications. All changes, modifications or revisions shall be signed and sealed by the engineer.
- 3. Final Project Acceptance will be by the Regional Transportation Director (RTD) or their authorized designee.
- 4. Reconstruction or improvements to the access will be required when the Permittee fails to meet the required design and/or materials specifications. If any construction element fails within two years of CDOT's final acceptance due to improper construction or materials, the Permittee is responsible for all such repairs.

1.2/13 Keith Baker for Salida Natural Resource Center

APPLICANT

H. Rickey Wells for REGen, LLC

APR 2 4 2013

COLORADO DEPT: OF TRANSPORTATION TRAFFIC & SAFETY

Memorandum

Date: June 15, 2020

To: Glen Van Nimwegen, City of Salida Community Development Director

From: Bill Hussey (on behalf of Confluent Park, LLC)

Re: Insubstantial modification request to Confluent Park Planned Development

Section 5, condition number 9 of the approved Confluent Park Planned Development Amendment Ordinance (No. 01 Series 2020) reads "The construction of Cleora Road and Confluence 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."

The PD Amendment was approved on January 21, 2020. Since that time, the global COVID-19 pandemic has created economic uncertainty. In uncertain economic times, it is especially important for developers to have flexibility to sustain financially through fluctuations in the real estate and construction markets. In addition, the cost of Confluence Drive will be shared between Confluent Park and Two Rivers Southside. Two Rivers Southside is not proceeding on the schedule expected by Confluent Park, LLC, at the time of PD Amendment approval.

Therefore, Confluent Park, LLC, hereby requests, by insubstantial modification, to strike Condition 9 of Section 5 of Ordinance No. 01, Series 2020. The subdivision is now proposed in three phases per the Confluent Park Major Subdivision Civil Engineering Plans.

Attachment 5



June 9, 2020

RE: Confluent Park Subdivision

Plan review comments

To: Glen VanNimwegen, Community Development Director

Public Works has completed review of the civil engineering construction plans for the Salida Confluent Park Subdivision, dated May 2020. Comments are as follows:

General Items

- 1. Plat Chase Street does not scale out to be 60-ft width at Cleora Rd. Revise to 60-ft.
- 2. Plat A 10-ft public trail easement was previously requested along the north lot line of Lot 38. The plans indicate a trail but the plat only notes a UE at this lot. Revise accordingly.

Construction Plans

- 1. The construction shall be signed and stamped for final review. Comments are as follows:
 - a. Revise solar light pole detail to reflect current XCEL standards (SH-5).
 - b. Additional detailing of stormwater inlet required (SH-7).
 - c. Additional detailing of stormwater tie-in with pan and spandrel on the east side of Trenton Street at Cleora and Confluent are required (SH-10/11).
 - d. Revise stamped brick cross-walk detail to match city detail with 8-in reinforced colored concrete (SH-4).
 - e. Provide 8-ft trail connection to Vandaveer Rd. w/ADA ramp.
 - f. Public sidewalk to be extended straight across Lot 38 to ADA ramp at Trenton Street.
 - g. Provide w/s crossings in profiles where relevant.
 - h. It appears that the manhole 6+72 may conflict with the stamped brick crosswalk. Shift as necessary.
 - i. Additional detailing of manhole tie-in 'Structure 1' required. Match top of existing pipe or higher for proposed invert calculation (SH-17).
 - j. Provide note on meter pit detail that setter shall be set 30-in below lid (SH-20).
 - k. Provide plan view detailing with future asphalt street section at PRV location. Coordinated with public works during design. Shade aerial back to be lighter (SH-25). Include plan sheet detail of PRV.

It is requested that the comments be addressed and resubmitted for review. After approval of a SIA, Owner to coordinate product submittals and preconstruction meeting with Public Works prior to initiation of work.

Sincerely,

David Lady, P.E. City of Salida

Director of Public Works

Donid Lady

PUBLIC NOTICE NOTICE OF PUBLIC HEARINGS BEFORE THE PLANNING COMMISSION AND CITY COUNCIL FOR THE CITY OF SALIDA CONCERNING A MAJOR IMPACT REVIEW APPLICATION FOR THE PROPOSED CONFLUENT PARK SUBDIVISION

TO ALL MEMBERS OF THE PUBLIC AND INTERESTED PERSONS: PLEASE TAKE NOTICE that on June 22, 2020 at or about the hour of 6:00 p.m., a public hearing will be conducted by the City of Salida Planning Commission online at the following link: https://attendee.gotowebinar.

com/rt/1909092342220683277

The hearing is regarding an application submitted by and on behalf of Confluent Park, LLC, for the property including approximately 10.5 acres located at the northeast corner of the intersection of Vandaveer Ranch Road and Highway 50. The legal description is Lots 3 and 4 of the Confluent Park Minor Subdivision as recorded at Reception Number 456722 of the Chaffee County Recorder's Office.

The applicant wishes to subdivide the property in accordance with the recently approved Planned Development which has the underlying districts of Residential Mixed-Use District (RMU); Commercial District (C-1); and High Density Residential District (R-3) into approximately 37 lots.

If a recommendation is made by the Planning Commission at the above public hearing, it shall be forwarded to the City Council for an online public hearing on July 7 at 6:00 p.m. at the following link: https://attendee.gotowebinar.com/reg-

ister/8402368210594753549 Currently it is expected interested persons may attend the public hearing in person, abiding by social distancing stan-dards, or by attending the above online meetings. Public comment will be solicited and received in one or both formats. Further information on the application may be obtained from the Community Development Department, (719) 530-2631. To review the City's social distancing policy and other regulations, please visit https://cityofsalida.com/covid-19info/ Published in The Mountain Mail June 5. 2020