



STAFF REPORT

MEETING DATE: October 24, 2022

AGENDA ITEM TITLE: Triplex Near The River Minor Subdivision – Limited Impact Review

AGENDA SECTION: Public Hearing

REQUEST:

The request is for limited impact review approval to subdivide the lots known as Lot 2 and Lot 3 of the River Ridge Subdivision into three (3) lots. The property is located in the High Density Residential (R-3) zone district.

APPLICANT:

The applicant is Triplex Near the River, LLC, 10448 Kelowna View, Colorado Springs, CO 80908.

LOCATION:

The subject property is known as the Triplex Near The River Minor Subdivision and is located 119 and 125 River Ridge Lane, Salida, CO 81201 and is described as: Lot 2 and Lot 3, River Ridge Subdivision, City of Salida, Chaffee County, Colorado.



PROCESS:

This application is a limited impact review process for a minor subdivision. The purpose of the limited impact review is to assure that the proposal, in adequate detail, is drawn and submitted according to the requirements of the Land Use Code.

A public hearing is conducted by the Planning Commission for the minor subdivision process, after public notice in a newspaper of general circulation and posting on the property 15 days prior. The

Commission shall approve, approve with conditions, or deny the application, or remand it back to the applicant with instructions for modification or additional information or action.

Approval of the minor subdivision shall constitute authorization to proceed with recording the plat and commencing with the Subdivision.

OBSERVATIONS: This section is intended to highlight concerns raised by staff to assist the Commission in doing the same. Additional concerns or questions may arise after a presentation by the applicant.

- 1) The site is zoned High Density Residential (R-3) and is not within any overlays. \
- 2) The site is surrounded by High Density Residential (R-3) and Manufactured Housing Residential (R-4) zoning to the east, west, and south side of the property. The properties to the north of the site are in the County within Residential (RES) zone district.
- 3) This site was two (2) vacant lots of the River Ridge Subdivision prior to the construction of the triplex.



- 4) The minor subdivision is required because the applicant built the triplex over the exiting lot line and is reconfiguring to create an additional lot.

- 5) The proposed subdivision will create three (3) lots with an attached unit on each lot. The R-3 zone district allows for the minimum lot size of an attached unit to be 2,160 square feet for developments that include one hundred (100) percent of the required affordable housing. Each lot meets the lot size requirement, Lot A is 3,686 square feet, Lot B is 3,225.8 square feet, and Lot C is 3,630 square feet.
- 6) Construction of the triplex is complete with issuance Certificate of Occupancy on September 15, 2022 by the Chaffee County Building Department. The Building Department has verified the construction of the 2-hour firewalls between the residences.
- 7) The applicant has submitted a preliminary party-wall agreement that must be updated and recorded prior to recording of the subdivision plat.
- 8) Each unit has separate utilities and are connected to water and sewer and is metered individually. There is a plat note regarding new utility easements and already dedicated easements filed in the River Ridge Subdivision for the newly created lots.



REVIEW AGENCY COMMENTS: The Public Works Director, Fire Chief, Police Chief, Finance Department, and the Chaffee County Director of Development Services were invited to comment on the subdivision plat application. The following comments were received in response to this request.

Finance Department: System Development fees have been paid on 119, 121, 125 River Ridge Lane. Nothing further is required by Salida Utilities.

Salida Fire Department, Kathy Rohrich, Assistant Chief: No concerns

Salida Police Department, Russ Johnson, Chief: No concerns

Public Works Director, David Lady: No concerns.

Chaffee County Director of Development Services, Dan Swallow: When asked if the Building Department field verified the setbacks this was the response we received:

The east wall of 125 River Ridge Lane is required to be 1-hour fire-resistance rated as it is closer than 5' to the property line. ***Note. The Chaffee County Building Department issued CO on September 15, 2022 for the three (3) units.*

SUBDIVISION REVIEW STANDARDS: (Section 16-6-120)

1. **Conformance with the Comprehensive Plan.** The proposed subdivision shall carry out the purpose and spirit of the Comprehensive Plan and conform to all of the Plan's applicable objectives, guiding principles and recommended actions. It shall be designed to be compatible with surrounding land uses and to protect neighbors from undesirable noise, glare and shadows, and shall not cause adverse effects on their privacy, solar access and views.
 - The Comprehensive Plan identifies this area as vacant land/county lands. Infill, redevelopment and maximizing the density allowances are encouraged in Chapter 3, Land Use and Growth. The proposed minor subdivision creates three (3) lots that are compatible in size with other lots in the subdivision and the development provides the encouraged infill.
 - New development should complement the neighborhood's mass and scale. The triplex is two-story and compatible with the surrounding land uses of high density residential.
2. **Complies with the Zone District Standards.** The proposed subdivision shall comply with the use and dimensional standards of the underlying zone district and shall provide off-street parking as required for those uses.
 - The newly created lots are zoned R-3 High Density Residential and must meet the zone district standards.
 - The new development meets the spirit of the R-3 High Density Residential zone district providing for relatively high density duplex and multi-family residential areas, including primarily triplex, townhouse and apartment uses.
 - New development must comply with the zone district standards. In the R-3 zone district 3-4 units are administratively reviewed and approved as long as the applicant can meet the required Dimensional Standards. Staff reviewed and approved the development on August 12, 2021.
 - The standards have been met with the proposed attached units during the review process. The minimum lot size in the R-3 zone district is 2,160 square feet for attached units and the proposed lots meet the standards with the construction of the triplex.
 - The off-street parking requirement is one space for each unit. The total off-street parking spaces required for this project is one space per lot which is met with the attached garages.
 - Attached units require 15' of Lot frontage. Lot A frontage is 41.52 ft. Lot B frontage is 36.26 ft. Lot C frontage is 40.65 ft. This standard has been met.

- The maximum lot coverage of structures for each lot in the R-3 zone district is 50%. This standard has been met.
3. **Design Standards.** The proposed subdivision shall be provided with improvements which comply with Article VII and landscaping which complies with Section 16-8-90 of this Chapter.
- a. Streets. Existing and proposed streets shall be suitable and adequate to carry anticipated traffic within and in the vicinity of the proposed subdivision.
 - The existing streets are suitable for the proposed subdivision.
 - Sidewalks were installed along the frontage of the property during the substantial completion of public infrastructure approved by the Public Works Director for the River Ridge Subdivision.
 - b. Utilities. Existing and proposed utility services shall be suitable and adequate to meet the needs of the proposed subdivision.
 - Adequate utilities are in place to serve the development. Each unit has separate utilities. All inspections were approved by Public Works for C.O. authorization.
 - c. Phases. If the subdivision is to be developed in phases, each phase shall contain the required parking spaces, landscape areas, utilities and streets that are necessary for creating and sustaining a stable environment.
 - There will not be phases with this development.
4. **Natural Features.** The layout of lots and blocks shall provide desirable settings for structures by making use of natural contours and maintaining existing views, affording privacy for residents and protecting them from adverse noise and vehicular traffic. The system of roadways and the lot layout shall be designed to take advantage of visual qualities of the area. Natural features and native vegetation shall be preserved whenever possible. Tree masses and individual trees of six-inch caliper or greater shall be preserved.
- There are no major natural features located within this subdivision
5. **Floodplains.** Tracts of land or portions thereof lying within the one-hundred-year floodplain may only be subdivided for open space until the subdivider has shown that compliance with the requirements of the City's floodplain regulations can be met.
- The subject property is not located within the 100-year floodplain.
6. **Noise Reduction.** Where a subdivision borders on or contains a highway right-of-way, the City shall require adequate provisions for reduction of noise. A parallel street, landscaping, screening, easement, greater lot depth, increased rear yard setbacks and fencing are potentially appropriate solutions, among others.
- This subdivision does not border a highway right-of-way.

7. **Future Streets.** When a tract is subdivided into lots or parcels which are intended for future resubdivision, such lots or parcels shall be arranged so as to permit the logical location and opening of future streets and appropriate resubdivision, with provision for adequate utility easements and connectors for such resubdivision.

➤ This subdivision is not intended for future resubdivision.

8. **Parks, Trails and Open Space.** Each subdivision, minor or major, or condominium project with five (5) units or more, shall dedicate and develop land or pay a fee-in-lieu for the purpose of providing active parks, open space, passive recreation facilities and/or recreation trails or other public purposes as determined by the City for the benefit of those who occupy the property and be made accessible to the public. The intent of this regulation is to ensure that a comprehensive, integrated network of parks, trails and open spaces is developed and preserved as the community grows.

➤ This subdivision has three (3) attached units. The proposed lots are within the land designated by the River Ridge Subdivision. The River Ridge subdivision provided public access to the west side of the Arkansas River and a trail easement along the east side of the river. This was deemed “extraordinary” by the Planning Commission and therefore the open space requirements have been met.

9. **Common Recreation Facilities.** Where a development is proposed to contain common recreation facilities, such facilities shall be located within the development so as to be easily accessible to the residents and to least interfere with neighboring developments.

➤ This development does not include any common recreation facilities.

10. Lots and Blocks.

- a. **Pattern.** The size, shape and orientation of lots shall be appropriate to the design and location of the proposed subdivision and to the type of development contemplated. Where appropriate, lots shall be laid out to respect the existing City pattern. Blocks generally shall not be less than three hundred (300) feet nor more than one thousand two hundred (1,200) feet in length.

➤ The proposed lots do follow the existing subdivision grid pattern and are appropriate for the type of development that was constructed.

- b. **Frontage.** Residential lots should front only on local streets; however, when necessary, lots designated to face a collector street shall provide adequate means for automobile turnaround within the lot and should provide consolidated access points to the maximum extent feasible.

➤ This review standard has been met.

c. Right angles. Side lot lines shall be approximately at right angles or radial to street lines.

➤ This standard has been met.

d. Double frontage lots. Double frontage lots are prohibited, except where they are necessary to provide for the separation of residential development from collector or arterial streets or to overcome specific limitations of topography or orientation. A planting and screening easement of at least ten (10) feet shall be provided along the portion of the lot which abuts such a collector or arterial street. There shall be no right of access across a planting and screening easement. The screening easement shall be maintained by the property owner.

➤ Double frontage lots are not proposed.

e. "T" intersections. The building area of lots shall not face directly into the oncoming traffic of an intersecting street of a "T" intersection.

➤ There will not be any building areas facing a "T" intersection.

f. Solar energy.

➤ This standard applies to detached single family homes and not attached units.

11. Architecture.

➤ Although this residential subdivision is less than five lots it has to meet the architectural standards set forth by the River Ridge Subdivision. The minimum standard is the same building front elevation cannot be repeated more than every fifth lot or directly across the street. This standard has been met as no other residence in the subdivision replicated the same building front elevation.

12. Fair Contributions for Public School Sites.

➤ A payment for the fee in lieu for Fair Contributions for Public School sites has been paid on August 12, 2021.

13. Inclusionary Housing.

➤ The inclusionary housing requirement has been met by the River Ridge Subdivision with the completion of eight (8) units by Chaffee Housing Trust on Lot 1 of the River Ridge Subdivision. According to the River Ridge Subdivision Improvement Agreement Lot 2 and Lot 3 were allotted a total of four (4) units prior to any fees in lieu kicking in. Only three (3) units were built.

EXHIBIT F

LOT #	TYPE	Units Covered by Lot 1 Deed Restriction	%
1	Inclusionary Housing Deed Restricted	8	12.5%
2	INTERIOR	2	
3	INTERIOR	2	

REQUIRED ACTIONS BY THE COMMISSION:

1. The Commission shall confirm that adequate notice was provided and a fee paid.
2. The Commission shall conduct a public hearing.
3. The Commission shall make findings regarding the proposed use in order to ensure the use is consistent with the Comprehensive Plan, conforms to the Land Use Code, is appropriate to its location and compatible with neighboring uses, is served by adequate public facilities and does not cause undue traffic congestion or significant deterioration of the environment.

STAFF RECOMMENDATION:

Staff recommends the Planning Commission approve the minor subdivision application, subject to the condition below.

Prior to recording the Subdivision Plat:

1. That the party-wall agreement be recorded prior to recording of the subdivision plat.

RECOMMENDED MOTION: “I make a motion to approve the Triplex Near The River Minor Subdivision as it meets the review standards for a subdivision, subject to the condition recommended by staff.”

Attachments:

1. Application for Minor Subdivision
2. Triplex Near The River Minor Subdivision Plat
3. Proof of Publication