



## STAFF REPORT

**MEETING DATE:** August 26, 2024

**AGENDA ITEM TITLE:** 137 Cotopaxi Lane – Limited Impact Review, Multiple Principal Structures

**AGENDA SECTION:** Public Hearing

### REQUEST:

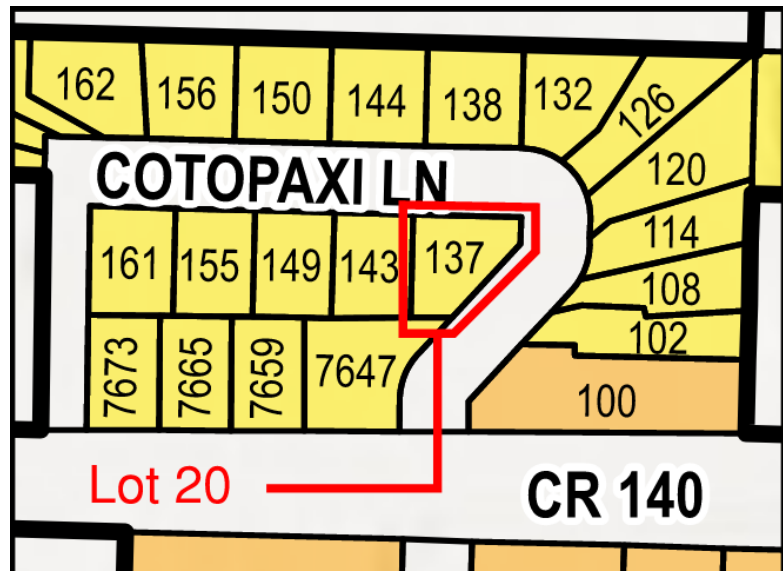
The request is for limited impact review approval for three (3) dwelling units within two (2) multiple principal structures on a lot known as Lot 20 of West End Subdivision of Salida (137 Cotopaxi Lane). The property is located in the Medium Density Residential (R-2) Zone District.

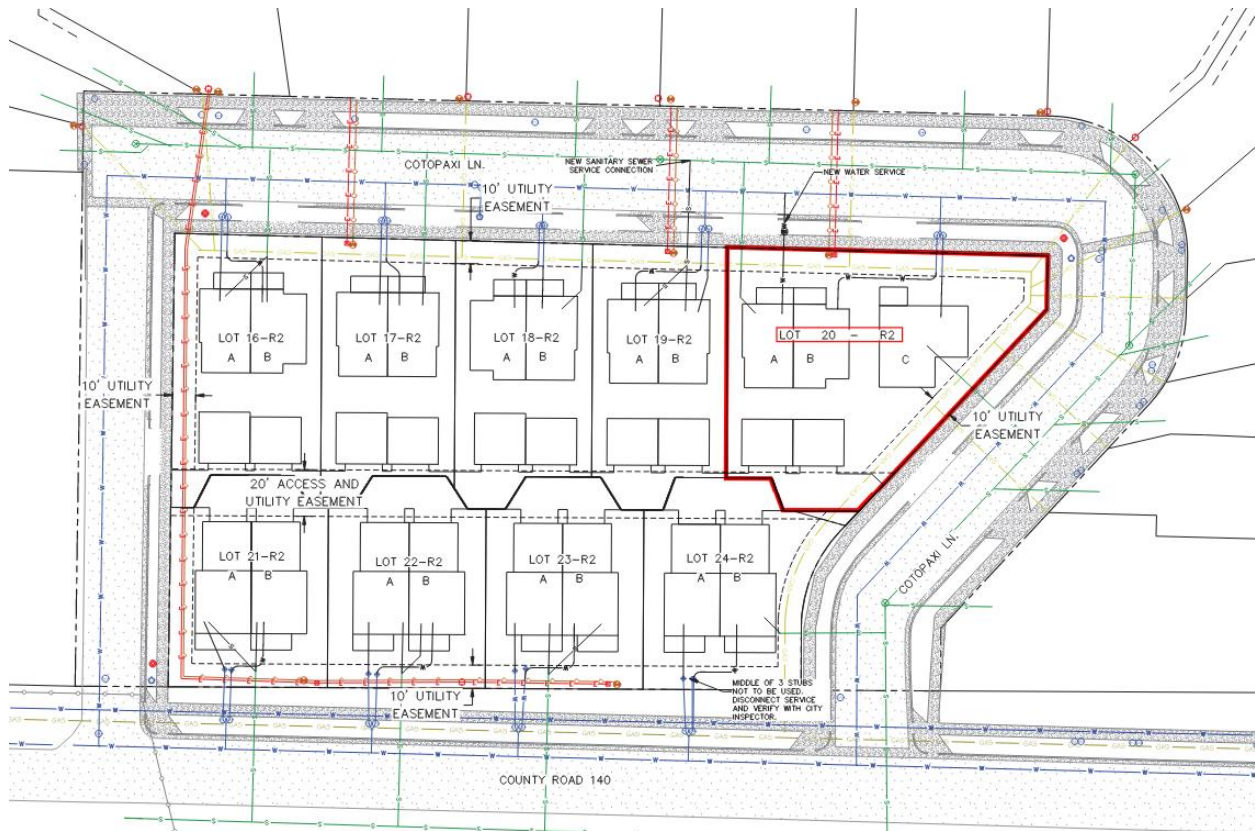
### APPLICANT:

The applicant is SPG, LLC, 901 N Pennsylvania Ave, Denver CO 80203.

### LOCATION:

The subject property is known and described as 137 Cotopaxi Lane, Lot 20 of West End Subdivision of Salida, City of Salida, Chaffee County, Colorado and contains 11,517 SF.





## PROCESS:

Multiple Principal Structures requires a Limited Impact Review in the R-2 zone district per Salida Municipal Code Table 16-D. Limited Impact Reviews are for those land uses which are generally compatible with the permitted uses in a zone district, but require site-specific review of their location, design, intensity, density, configuration, and operating characteristics, and which may require the imposition of appropriate conditions, in order to ensure compatibility of the use at a particular location and mitigate its potentially adverse impacts

The Salida Municipal Code, Chapter 16, specifies that Limited Impact Review applications be reviewed by the City of Salida Planning Commission at a public hearing after fifteen days public notice. The Planning Commission may make a decision to approve, approve with conditions, deny, or remand the application back to the applicant for modification.

**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 within the Medium Density Residential (R-2) Zone District.
- 2) The subject property has a total 11,517 square foot lot area and the density requirement per dwelling unit is 2,734 square feet within the R-2 zone district,

utilizing the Inclusionary Housing incentives. The property is allowed a maximum of four (4) dwelling units on the property. Only three (3) dwelling units are proposed.

- 3) The site is surrounded by other medium density land uses, such as single-family homes and duplexes.
- 4) This site is currently vacant.
- 5) The R-2 zone district allows for a maximum building lot coverage of 40% which will be verified with the building permit submittal.
- 6) One water and one sewer tap currently exist, and future development would require utilities to be stubbed in for the additional principal structure.

#### **REVIEW STANDARDS: 16-4-190(b) Multiple Principal Structures:**

1. **Scale.** The entire site, including all proposed structures, shall be of a scale that is compatible with the surrounding and nearby properties. Scale shall mean the proportional relationship of the principal buildings to each other and to the neighborhood, including but not limited to height, mass, setbacks and orientation.
  - The proposed principal structures will be required to conform to primary building dimensional requirements of the R-2 zone district with the building permit submittal.
  - The site is surrounded by other medium density land uses, such as single-family homes and duplexes, both proposed and constructed, within the West End Subdivision. The proposed massing is compatible with the neighborhood.
2. **Parking and Access.** Required parking shall be provided on the site for all buildings and uses on the site. Access should be consolidated to reduce curb cuts and shall be provided through alleys where available.
  - The applicant provided information relaying that detached garages will be provided for the duplex units, and an attached garage will be provided for the single-family home. An access easement runs south of the lot which will serve the detached garages, and the attached garage will likely connect to the right-of-way.
3. **Provision of Adequate Services.** Each principal structure shall have its own municipal services, including water and sewer, in accordance with Chapter 13, Municipal Utilities, of this Code.
  - One water and one sewer tap currently exist for this lot, and future development would require utilities being stubbed in for the additional

principal structure. The tap fees will be due at the time of building permit application.

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

**Finance Department:** System development fees will be required for all housing units being built on the site.

**Salida Fire Department, Kathy Rohrich, Assistant Chief:** No concerns at this time.

**Salida Police Department, Russ Johnson, Chief:** No issues.

**Public Works Director, David Lady:** Applicant to ensure construction services are in accordance with City Standards and obtain necessary Street Cut permits.

**Chaffee County Director of Development Services, Chad Chadwick:** No comments or concerns.

**Xcel Energy:** PSCo owns and operates existing underground electric distribution facilities within the project area. The property owner/developer/contractor must complete the application process for any new electric service, or modification to existing facilities. It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details. If additional easements need to be acquired by separate PSCo document, a Right-of-Way Agent will need to be contacted. As a safety precaution, PSCo would like to remind the developer to contact Colorado 811 for utility locates prior to construction.

#### **RECOMMENDED FINDINGS:**

1. This application is consistent with the Comprehensive Plan and the Land Use Code as three principal dwelling units on the proposed lot is compatible with the surrounding neighborhood.
2. The applicable review criteria for limited review applications have been met.

#### **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 limited impact review application for the request to construct three (3) dwelling units within two (2) multiple principal structures on the property located at Lot 20 of the West End Subdivision.

**RECOMMENDED MOTION: “I make a motion to approve the 137 Cotopaxi Lane Limited Impact Review application to construct multiple principal structures as it meets the review standards for such.”**

**Attachments:**

1. Application materials
2. Site Plan
3. Proof of Publication



## GENERAL DEVELOPMENT APPLICATION

448 East First Street, Suite 112

Salida, CO 81201

Phone: 719-539-4555 Fax: 719-539-5271

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

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

- ☐ Annexation
- ☐ Pre-Annexation Agreement
- ☐ Appeal Application (Interpretation)
- ☐ Certificate of Approval
- ☐ Creative Sign Permit
- ☐ Historic Landmark/District
- ☐ License to Encroach
- ☐ Text Amendment to Land Use Code
- ☐ Watershed Protection Permit
- ☐ Conditional Use

☐ Administrative Review:  
(Type) \_\_\_\_\_

☒ Limited Impact Review: **Multiple Principal Structures**  
(Type) \_\_\_\_\_

☐ Major Impact Review:  
(Type) \_\_\_\_\_

☐ Other: \_\_\_\_\_

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

#### A. Applicant Information

Name of Applicant: SPG, LLC

Mailing Address: 901 N Pennsylvania Ave, Denver, CO 80203

Telephone Number: 601.301.6794 FAX: \_\_\_\_\_

Email Address: toryup@gmail.com

Power of Attorney/ Authorized Representative: \_\_\_\_\_  
(Provide a letter authorizing agent to represent you, include representative's name, street and mailing address, telephone number, and FAX)

#### B. Site Data

West End Salida  
Name of Development: \_\_\_\_\_

SE 1/2 SW 1/4 of Section 31. T50N R9E of the N.M.P.M. Salida, Colorado  
Street Address: \_\_\_\_\_

16-24 West End Major Subdivision  
Legal Description: Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_ (attach description)

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

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

Signature of applicant/agent Tory Upchurch Date 07/08/2024

Signature of property owner Tory Upchurch Date 07/08/2024



## LIMITED IMPACT & MAJOR IMPACT SUBMITTAL REQUIREMENTS

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

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

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

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

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

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

#### ☒ 1. A General Development Application

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

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

#### N/A ☐ 4. Special Fee and Cost Reimbursement Agreement completed. *\*major impact only*

#### ☒ 5. Public Notice.

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



☒ 6. Developments involving construction shall provide the following information:

(i) A development plan map, at a scale of one (1) inch equals fifty (50) feet or larger with title, date, north arrow and scale on a minimum sheet size of eight and one-half (8½) inches by eleven (11) inches, which depicts the area within the boundaries of the subject lot, including:

site plan to address  
specific requirements  
of MPS  
(Section 16-4-190 (b))

a. The locations of existing and proposed land uses, the number of dwelling units and the square footage of building space devoted to each use;

b. The location and dimensions, including building heights, of all existing and proposed Buildings or structures and setbacks from lot lines or building envelopes where exact dimensions are not available;

c. Parking spaces;

d. Utility distribution systems, utility lines, and utility easements;

e. Drainage improvements and drainage easements;

f. Roads, alleys, curbs, curb cuts and other access improvements;

g. Any other improvements;

h. Any proposed reservations or dedications of public right-of-way, easements or other public lands, and

i. Existing topography and any proposed changes in topography, using five-foot contour intervals or ten-foot contour intervals in rugged topography.

(ii) 24" x 36" paper prints certified by a licensed engineer and drawn to meet City specifications to depict the following:

a. Utility plans for water, sanitary sewer, storm sewer, electric, gas and telephone lines;

b. Plans and profiles for sanitary and storm sewers; and

c. Profiles for municipal water lines; and

d. Street plans and profiles.

(iii) Developments in the major impact review procedure shall provide a development plan map on paper prints of twenty-four (24) inches by thirty-six (36) inches, with north arrow and scale, and with title and date in lower right corner, at a scale of one (1) inch equals fifty (50) feet or larger which depicts the area within the boundaries of the subject lots and including those items in Section 16-3-40(a)(3).

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



N/A

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

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

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

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

(iv) Engineering specifications for any improvements.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Action LU&G-I. 1.b. – New development should complement the neighborhood's mass and scale.

Action LU&G-I.2.a - Encourage projects to use maximum density allowances to make the best use of the available infrastructure

Policy H-I.1 – Provide a mix of housing types and densities throughout the city to address a variety of incomes and lifestyles.

Action LU&G-I.2.c –Focus new development in the Salida area within the Municipal Services Area to ensure adequate provision of services and limit sprawl development around the city.

**2. Conformance to Code.** The use shall conform to all other applicable provisions of this Land Use Code, including, but not limited to:

- a. Zoning District Standards. The purpose of the zone district in which it is located, the dimensional standards of that zone district, and any standards applicable to the particular use, all as specified in Article 5, Use and Dimensional Standards.

The West End subdivision is located in the R-2 Zone District with Inclusionary Housing dimensional standards.

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

The proposed changes will conform to the parking, landscaping, sign and improvement standards

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

The proposed multiple principal residential structures on Lot 20 will be compatible in both use and character to the neighboring uses and activities in the immediate vicinity. The architecture of both structures will be of the same scale and character as the adjacent duplexes.

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

The operating characteristics of the use (residential) are the same as the surrounding properties, both existing and proposed. There are no associated nuisances that would differ due to the proposed change in use.

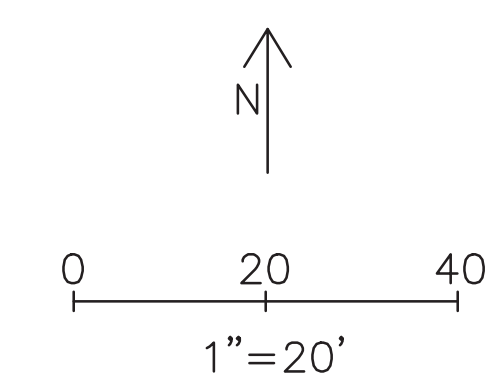
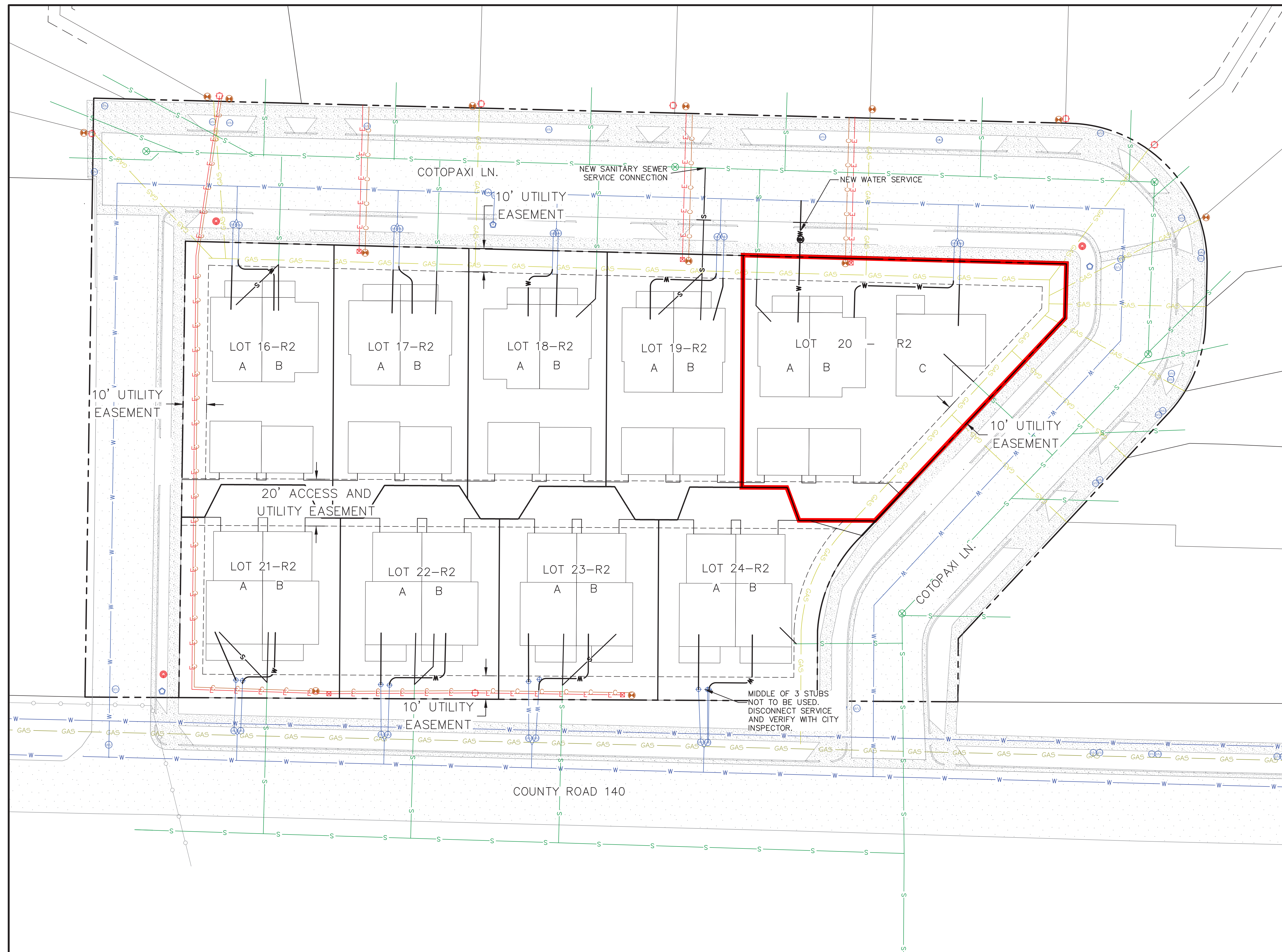
- 5. Facilities.** There shall be adequate public facilities in place to serve the proposed use, or the applicant shall propose necessary improvements to address service deficiencies which the use would cause.

The same density is being proposed, but instead of a triplex building, this application requests a duplex building and a single-family house.

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

This use will not cause significant deterioration to water, wetlands, wildlife, habitat, scenic characteristics, or other natural features.





LEGEND

- RIGHT OF WAY LINE
- PROPERTY LINE
- ⊕ WATER METER WITH CURB STOP
- ⊕ EXISTING WATER SERVICE STUB
- W — EXISTING WATER LINE
- ⊕ EXISTING WATER VALVE
- ⊕ EXISTING FIRE HYDRANT
- ⊕ EXISTING ELECTRIC PEDESTAL
- ⊕ EXISTING ELECTRIC XFMR
- E — EXISTING UNDERGROUND ELECTRIC LINE
- EXISTING UTILITY POLE
- ⊕ EXISTING SEWER MANHOLE
- S — EXISTING SEWER LINE
- ⊕ EXISTING COMMS PEDESTAL
- C — EXISTING UNDERGROUND COMMS LINE
- W — NEW 3/4" WATER SERVICE LINE, CONNECT TO EXISTING STUB UNLESS OTHERWISE NOTED
- S — NEW 4" SANITARY SEWER SERVICE LINE, CONNECT TO EXISTING STUB UNLESS OTHERWISE NOTED

NOTES:

1. WATER SERVICE STUB LOCATIONS ON NORTH SIDE OF BLOCK ARE SHOWN PER INITIAL DESIGN. FIELD LOCATIONS MAY VARY. CONTRACTOR SHALL LOCATE USING TRACER WIRE AT METER PIT/CURB STOP.
2. CONTRACTOR SHALL KEEP WATER AND SEWER SERVICE LINES WITHIN THE PROPERTY TO BE SERVED OR THE 10' UTILITY EASEMENT WHENEVER FEASIBLE.

ISSUED FOR REVIEW

UTILITY PLAN

WEST END REPLAT  
JOB #24006

DRAWN BY BILL HUSSEY  
SALIDA, CO



8/20/24

SHEET 3 OF 4

# PUBLIC NOTICE NOTICE OF

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## Details for PUBLIC NOTICE NOTICE OF

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### PUBLIC NOTICE

#### NOTICE OF A PUBLIC HEARING BEFORE THE PLANNING COMMISSION FOR THE CITY OF SALIDA CONCERNING A LIMITED IMPACT REVIEW APPLICATION

TO ALL MEMBERS OF THE PUBLIC AND INTERESTED PERSONS: PLEASE TAKE NOTICE that on Monday, August 26, 2024 at or about the hour of 6:00 p.m., a public hearing will be conducted by the City of Salida Planning Commission at City Council Chambers, 448 E. 1st Street, Salida, Colorado and online at the following link: <https://attendee.gotowebinar.com/rt/1909092342220683277>

The hearing is regarding a Limited Impact Review application submitted by SPG, LLC for approval of multiple principal structures in the R-2 Zone district at West End Subdivision, located at County Road 140 and Cotopaxi Lane.

Interested individuals are encouraged to attend the public hearing or make comments during the public hearing via GoToWebinar at the above link.

Approval of the limited impact review application shall constitute authorization to proceed with recording the plat and commencing with the subdivision. Further information on the application may be obtained from the Community Development Department by calling (719) 530-2638.

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

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