



## PLANNING COMMISSION STAFF REPORT

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**MEETING DATE:** March 23, 2020

**AGENDA ITEM TITLE:** Public Hearing 1. Approval of the Two Rivers Commons Minor Subdivision – Limited Impact Review

**STAFF:** Glen Van Nimwegen, AICP  
Community Development Director

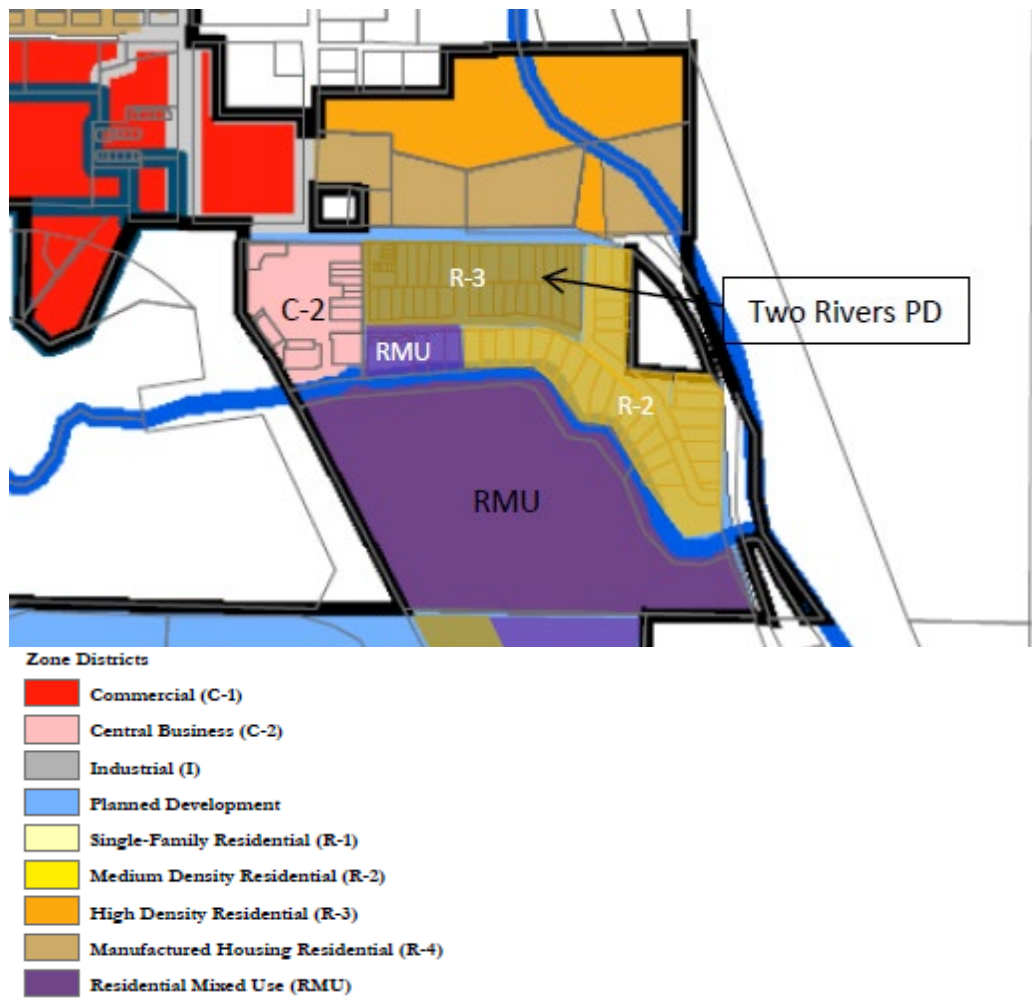
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**REQUEST / BACKGROUND:**

The application is for Limited Impact Review approval for a minor subdivision to re-subdivide Lots 7-11 and 14-15 into approximately nine (9) lots of the Two Rivers Common mixed-use subdivision located at 116-152 Old Stage Road. The Two Rivers Commercial Center Major Subdivision was reviewed by the Planning Commission on June 25, 2018 and Council approved the project on July 17, 2018. The site is zoned C-2, Central Business District.

**Applicants:** Old Stage, LLC as represented by Tom Pokorny.



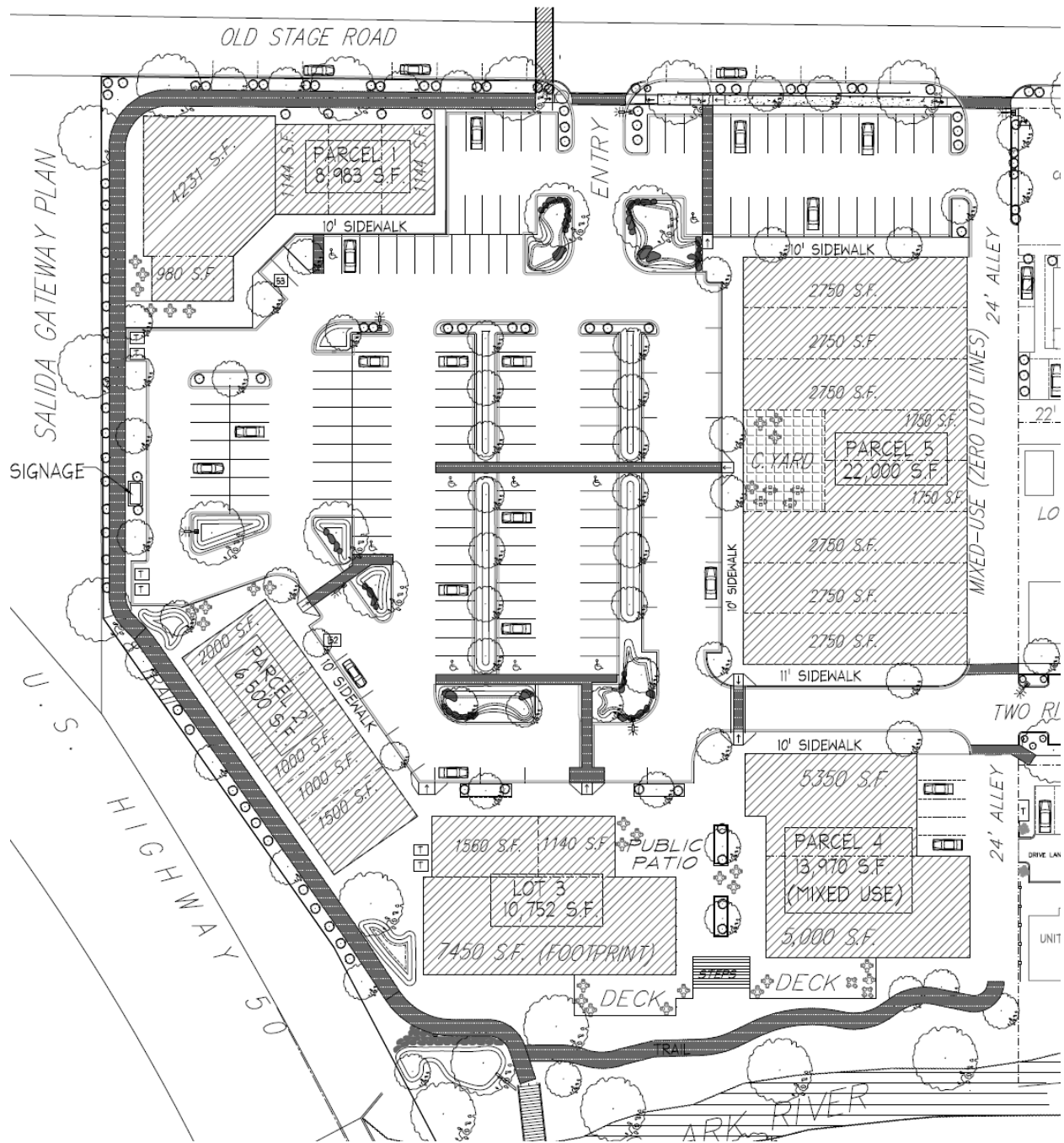


The applicant is developing the site into a mixed-use development with retail, office and residential units on the second floor of some of the buildings. A central parking lot will be provided. The site is integrated into the Two Rivers Planned Development through shared alley access and open space with trail access.

Because the site is zoned C-2, there are no dimensional standards, except primary buildings may not exceed 35 feet and accessory buildings may not exceed 25 feet in height. A multi-tenant building (Kim's Gym) has been constructed on Lots 12 and 13.

The proposal before the Planning Commission and City Council in 2018 included a proposed site plan for the buildout of the development. It included a total of 23 lots. However the approved subdivision only included 15 lots with the intent to further subdivide the land as specific development occurs. Larger tenants and boxes envisioned for Lots 7, 8, 9, 10 and 11 will be replaced by smaller lots to develop more of a Main Street ambience.

The proposed changes are very much in line with the concept proposed back in the summer of 2018. However the subdivision code states "A resubdivisions that results in five (5) or fewer parcels, lots, units, sites, tracts or interests with the previously recorded subdivision is a minor subdivision" [Section 16-6-10 (2) (iii)]. Therefore a limited impact process requiring Planning Commission approval is required.



**Site Plan Presented to Commission and Council July, 2018**

The proposed subdivision does not go beyond the number of lots that was approved with the above site plan. The Proposed Two Rivers Commons plat reorients Lots 10 and 11 in the Existing Two Rivers Commons Plat; and splits Lots 7-11 and 14-15 into nine lots. The total number of lots now equals only 19; less than the 23 shown above.





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.” The Highway 50 Corridor Overlay requires additional landscaping and sidewalks on properties adjacent to the highway. The applicant will be putting these improvements in and has increased the setback from Highway 50 over what would be required in the C-2 district. The site is roughly six feet below the Highway 50 frontage.
7. Future Streets. There are no new public streets within the site.
8. Parks, Trails and Open Space. As mentioned above, the applicant has integrated the trail access within the Two Rivers development and South Arkansas River. This provides a viable pedestrian connection that will reduce vehicle trips normally associated with a commercial center. The developer has met the open space requirements through the development of the open space and trail system within the development.
9. Common Recreation Facilities. There are no common recreation facilities proposed.
10. Lots and Blocks. “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 changes create lots that are close to the historical dimensions for Salida.
11. Architecture. The design of the commercial buildings will have to meet the standards of the Land Use and Development Code, specifically the Large Scale Commercial Design Guidelines of Section 16-8-120. Also, the development will have a property owners association which will evaluate the design of structures.
12. Codes. The subdivision will comply with all applicable City building, fire and safety codes.
13. Inclusionary Housing. The Two Rivers properties have met affordable housing requirements through the annexation agreement adopted for the property in 2016. Chaffee Housing Trust built eight affordable units within Two Rivers directly adjacent to the east side of the subject site.

#### **RESPONSE FROM REFERRAL DEPARTMENTS AND AGENCIES:**

- Salida Fire Department: Doug Bess, Fire Chief, responded “Fire Department has no concerns.”
- Salida Police Department: Chief Russ Johnson responded “I have no objections to the proposed changes.”
- Chaffee County Development Services Department: “No comments or concerns.”
- Salida Public Works Department: Public Works Director David Lady: “We would need to take a look at public utilities as they currently do not front all of the lots as proposed. Private water and sewer service easements would need to be in place.”
- Salida Finance and Utilities Department: Renee Thonoff, Staff Accountant: “Development would require the purchase of commercial water/sewer taps and meters.”

#### **STAFF RECOMMENDATION:**

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



**RECOMMENDED MOTION:**

“I make a motion to approve the Two Rivers Commons Minor Subdivision, subject to the following conditions:

1. Conditions adopted with Resolution 2018-38, as amended by Resolution 2018-48 are still in effect.
2. Provide exclusive easement for the public sewer and water lines if required within the Limited Common Element in front of Lots 8A-B and 9A-B.
3. Floodplain Development Permit is required for any development/grading with the 100 year floodplain as approved by the Floodplain Administrator.
4. Future lot splits up to a total of 23 lots within Two Rivers Commons will be processed as an Amended Plat per Section 16-6-50 of the Salida Municipal Code.”

Attachments:

Application for Minor Subdivision  
Two Rivers Commons Minor Subdivision  
Plat Comparison  
Resolution 2020-38  
Resolution 2020-48  
Proof of publication



## GENERAL DEVELOPMENT APPLICATION

448 East First Street, Suite 112

Salida, CO 81201

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

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

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

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

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

#### A. Applicant Information

Name of Applicant: Old Stage, LLC

Mailing Address: P.O. Box 745, Salida, CO 81201

Telephone Number: 719 539-4481 FAX: \_\_\_\_\_

Email Address: tpokorny@naturalhabitats.biz

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

#### B. Site Data

Name of Development: Two Rivers Commons

Street Address: 1 Old Stage Road

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: Tom Pokorny Date: 2-20-20

Signature of property owner: Tom Pokorny Date: 2-20-20



**Staff Use Only**

Permit #:\_\_\_\_\_ Staff member assigned:\_\_\_\_\_ Public meeting Date:\_\_\_\_\_

Staff Comments:\_\_\_\_\_

Fee:\_\_\_\_\_ Receipt #:\_\_\_\_\_



## 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
4. Staff Review. Staff report or decision forwarded to the applicant (Administrative review)
5. Public Notice
6. Public Hearing with Planning Commission (Limited Impact and Major Impact Review Applications)
7. Public Notice
8. Hearing Conducted by City Council (Major Impact Review)

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

- ☒ 1. 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;
- ☒ 2. A brief written description of the proposed development signed by the applicant;
- ☐ 3. Special Fee and Cost Reimbursement Agreement completed.
- ☐ 4. Public Notice.
  - a) List. A list shall be submitted by the applicant to the city of adjoining property owners' names and addresses. A property owner is considered adjoining if it is within 175 feet of the subject property regardless of public ways. The list shall be created using the current Chaffee County tax records.
  - b) Postage Paid Envelopes. Each name on the list shall be written on a postage-paid envelope. Postage is required for up to one ounce. Return Address shall be: City of Salida, 448 E. First Street, Suite 112, Salida, CO 81201.
  - c) Applicant is responsible for posting the property and submittal of notarized affidavits for proof of posting the public notice.
- ☐ 5. Developments involving construction shall provide the following information:

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

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

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

c. Parking spaces;

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

e. Drainage improvements and drainage easements;

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

g. Any other improvements;

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

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

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

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

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

c. Profiles for municipal water lines; and

d. Street plans and profiles.

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

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

☐ 7. Any subdivision request including a plat meeting the requirements of Section 16-6-110;



☐ 8. 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;

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

☐ 10. 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.

PER Section 16-6-40 Re Subdivision! .... "To the extent that submittal information, otherwise required in Section 16-6-110, was submitted as part of the original subdivision proposal and is adequate by current standards, the applicant does not need to submit information again."

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.

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

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

PLEASE NOTE: This subdivision was previously approved by both the Planning Commission and Council and

passed in Resolution 2018-38 to allow 23 LOTS.

I want to amend our current plat to ~~increase~~ 2.2.17 change existing lot lines on existing parcels so that we have 20 lots rather than current 15.

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

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

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



LOCATED WITHIN TWO RIVERS COMMERCIAL CENTER  
MINOR SUBDIVISION  
CITY OF SALIDA  
CHAFFEE COUNTY, COLORADO



## LEGEND

- | LINE | BEARING       | DISTANCE |
|------|---------------|----------|
| L1   | N 89°42'14" W | 3.00'    |
| L2   | S 00°17'46" W | 2.00'    |
| L3   | S 89°30'34" E | 10.00'   |
| L4   | S 00°29'26" W | 5.00'    |
| L5   | S 00°29'24" W | 20.00'   |
| L6   | S 89°30'34" E | 11.50'   |
| L7   | N 89°30'34" W | 11.50'   |
| L8   | S 00°29'26" W | 18.00'   |
| L9   | N 55°26'57" E | 14.40'   |
| L10  | N 34°33'03" W | 8.40'    |
| L11  | S 55°26'57" W | 2.00'    |

\_\_\_\_\_, A LICENSED TITLE INSURANCE AGENT IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT I HAVE EXAMINED THE TITLE TO THE PROPERTY HEREBY DEDICATED AND AS SHOWN AND DESCRIBED ON THIS PLAT AND FOUND TITLE VESTED IN OLD STAGE, LLC, FREE AND CLEAR OF ALL LIENS AND ENCUMBRANCES EXCEPT AS LISTED BELOW:

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

TITLE AGENT

THIS PLAT WAS FILED IN THE OFFICE OF THE CLERK AND RECORDER OF CHAFFEE COUNTY, COLORADO, AT \_\_\_\_\_ M.  
ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020 UNDER RECEPTION NUMBER \_\_\_\_\_.

CHAFFEE COUNTY CLERK AND RECORDER

I, SYDNEY A. SCHIEREN, A REGISTERED LAND SURVEYOR LICENSED TO PRACTICE IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS LAND SURVEY WAS PERFORMED UNDER MY DIRECT SUPERVISION, AND THAT THE PLAT REPRESENTS THE RESULTS OF SAID SURVEY AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

SYDNEY A. SCHIEREN  
COLORADO P.L.S. 37937



THIS PLAT IS APPROVED FOR FILING AND THE CITY HEREBY ACCEPTS THE DEDICATION OF THE PUBLIC ACCESS AND UTILITY EASEMENTS SHOWN HEREON.

SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.  
CITY OF SALIDA

BY: \_\_\_\_\_  
MAYOR

KUNKEL BROS. TRUST, AS LIEN HOLDER, HEREBY ACKNOWLEDGES AND APPROVES THE TERMS, CONDITIONS AND DEDICATION AS DISCLOSED UPON THIS PLAT.

REPRESENTATIVE	DATE
----------------	------



KNOW ALL PERSONS BY THESE PRESENTS THAT OLD STAGE, LLC, THE FEE OWNER OF THE FOLLOWING DESCRIBED PROPERTY:

LOTS 1, 2, 3, 4 & 5 AND OUTLOT A  
TWO RIVERS COMMERCIAL CENTER MINOR SUBDIVISION  
CITY OF SALIDA  
CHAFFEE COUNTY, COLORADO

HAS LAID-OUT, PLATTED AND SUBDIVIDED THE SAME INTO LOTS, OUTLOTS AND EASEMENTS, AS SHOWN ON THIS PLAT UNDER THE NAME AND STYLE OF:

TWO RIVERS COMMONS  
IN THE  
CITY OF SALIDA  
CHAFFEE COUNTY, COLORADO

AND DO HEREBY DEDICATE TO THE PUBLIC THE B' TRAIL EASEMENT AS SHOWN HEREON. THE UNDERSIGNED HEREBY FURTHER DEDICATE TO THE PUBLIC UTILITIES THE RIGHT TO INSTALL, MAINTAIN AND OPERATE MAINS, TRANSMISSION LINES, SERVICE LINES AND APPURTENANCES TO PROVIDE SUCH UTILITY SERVICE WITHIN THIS SUBDIVISION OR PROPERTY CONTIGUOUS THERETO, UNDER, ALONG AND ACROSS OUTLOT A AS SHOWN ON THIS PLAT.

EXECUTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2020

BY: DAN THOMAS, OLD STAGE, LLC REPRESENTATIVE

COUNTY OF CHAFFEE )  
 ) ss.  
STATE OF COLORADO )

THE FORGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2020, BY DAN THOMAS AND THOMAS POKORNY, AS OLD STAGE, LLC REPRESENTATIVES. WITNESS MY HAND AND SEAL.

MY COMMISSION EXPIRES \_\_\_\_\_

NOTARY PUBLIC

1) BASIS OF BEARING FOR THIS SURVEY IS GRID NORTH FROM COLORADO STATE PLANE COORDINATE SYSTEM CENTRAL ZONE, BASED ON G.P.S. OBSERVATIONS ALONG THE SOUTH LINE OF SECTION 4, BETWEEN A 1 1/2" ALUMINUM CAP STAMPED LS 36577 ON THE EASTERLY RIGHT-OF-WAY OF U.S. HIGHWAY 50 AND THE WITNESS CORNER FOR THE SOUTH QUARTER CORNER OF SECTION 4, MARKED BY A 3 1/2" B.L.M. BRASS CAP, HAVING A BEARING OF N 88°49'15" WEST.

2) OWNER & SUBDIVIDER: OLD STAGE, LLC, P.O. BOX 745, SALIDA, CO 81201

3) PURSUANT TO SECTION 1 G-G-140, FAIR CONTRIBUTIONS FOR PUBLIC SCHOOL SITES, AS MAY BE AMENDED, A PAYMENT IN LIEU OF LAND DEDICATION FOR FAIR CONTRIBUTIONS FOR PUBLIC SCHOOL SITES SHALL BE PAID BY THE OWNER OF EACH LOT WITHIN THIS SUBDIVISION PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR ANY NEW RESIDENCE ON SUCH LOT

4) SEE P.O.A. COVENANTS FOR DETAILS REGARDING PARKING AND OTHER USES WITHIN L.C.E.'S.

5) THE LIMITED COMMON ELEMENT AREAS ARE ENCUMBERED BY A BLANKET UTILITY EASEMENT.

6) OVERHANGS, BALCONIES, LANDSCAPE FEATURES AND NON-CONDITIONED STRUCTURES (IE. PERGELAS, DECKS, ETC.), TO THE BENEFIT OF INDIVIDUAL LOT OWNERS AND BUSINESSES, ARE ALLOWED IN L.C.E. AREAS PER P.O.A. APPROVAL.

7) EXCEPT FOR GROUND LEVEL PORTIONS OF A BUILDING, LIMITED COMMON ELEMENT DECKS AND BALCONIES MAY BE CONSTRUCTED ON OR AFFIXED TO THE EXTERIOR 2nd OR 3rd FLOORS OF A BUILDING. IN ADDITION TO RESTRICTIONS SET FORTH IN THE ASSOCIATION DOCUMENTS, SUCH DECKS OR BALCONIES MAY NOT EXTEND BEYOND 6' FROM THE BUILDING EXTERIOR AND CANNOT ENCROACH UPON PUBLIC TRAIL OR UTILITY EASEMENTS AND ALLEY.

8) ON THE GROUND FLOOR, RESIDENTIAL USES ARE PERMITTED ONLY WITHIN THE REAR 50% OF THE CONDITIONED SPACE LOCATED ON EITHER PARCEL 4 OR PARCEL 5 AS MORE PARTICULARLY ADDRESSED IN THE DECLARATION, ARTICLE XII, 1.3.5(a). THE REAR OF THE STRUCTURE IS DEFINED AS AS THE SIDE THAT ABUTS THE ALLEY AS SHOWN.

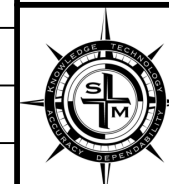
9) THE TRAIL AND BRIDGE CONSTITUTE A PUBLIC TRAIL EASEMENT AS CONSTRUCTED AND AS DEPICTED HEREON.

10) THIS PLAT IS SUBJECT TO THE DECLARATION OF COVENANT, CONDITIONS, EASEMENTS AND RESTRICTIONS FOR TWO RIVER COMMONS RECORDED IN CHAFFEE COUNTY ON \_\_\_\_\_, 2019 AT RECEPTION NO. \_\_\_\_\_.

11) THE SHARED FOOTING EASEMENT AS SHOWN ON EACH SIDE OF THE COMMON BOUNDARIES OF LOTS 1 THROUGH 11B SHALL BE SUBJECT TO USE BY BOTH ADJOINING LOT OWNERS AND SHALL BE SUBJECT TO THE TERMS, CONDITIONS, AND SPECIFICATIONS IN THE DECLARATION, SUPPLEMENTAL DECLARATIONS, AND THE DESIGN GUIDELINES OF TWO RIVERS COMMONS. THESE TERMS, CONDITIONS, AND SPECIFICATIONS SHALL REQUIRE THAT THE FIRST OF THE TWO ADJOINING LOT OWNERS TO COMMENCE CONSTRUCTION SHALL CONSTRUCT, AT HIS/HER SOLE COST, A FOOTING SUFFICIENT FOR THE ADJOINING LOT OWNER TO UTILIZE FOR PARTY WALL CONSTRUCTION. THIS FOOTING SHALL BE 32" WIDE BY 8" DEEP MINIMUM AND CENTERED ON THE PROPERTY LINE.

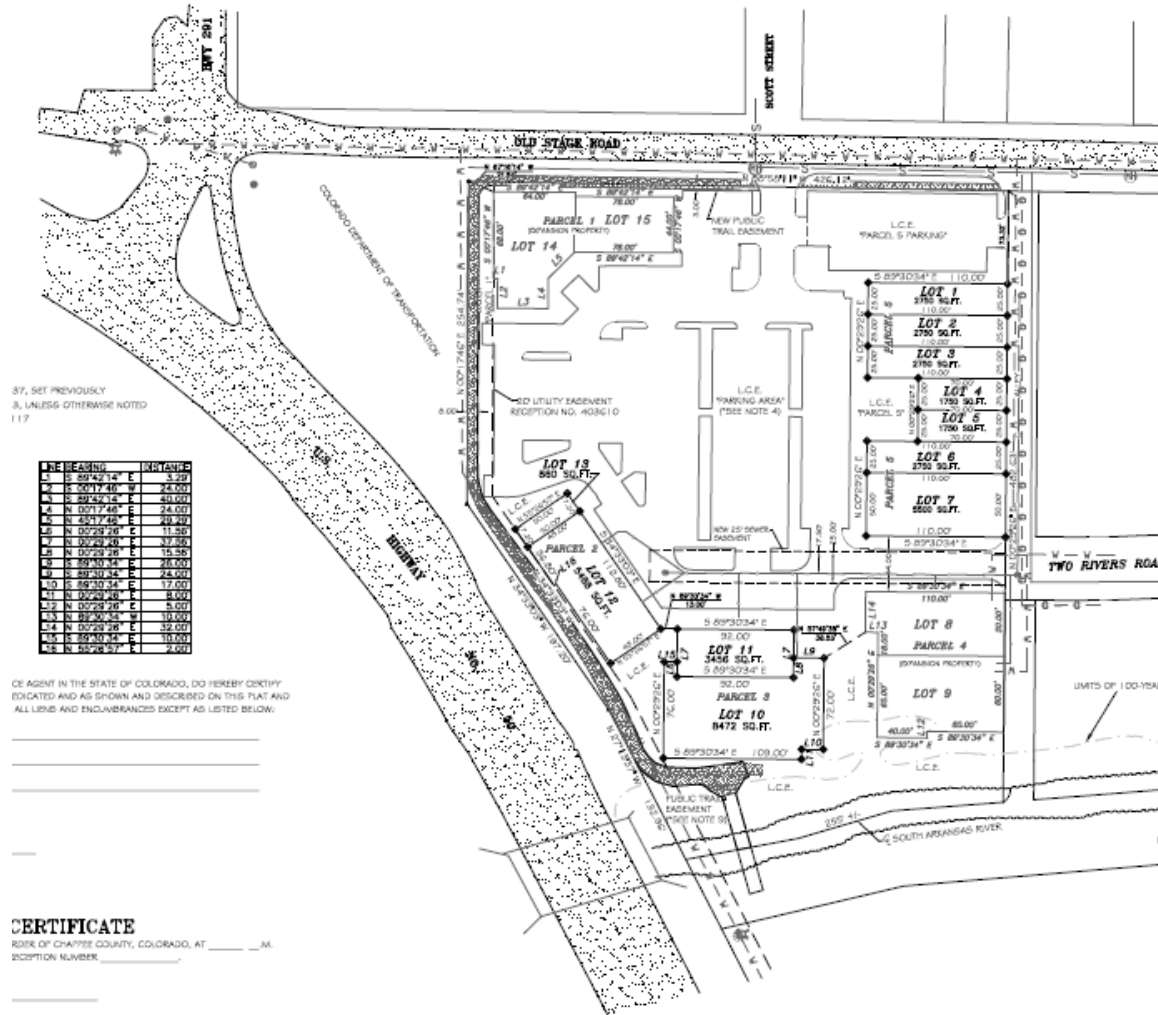
REVISED:
DATE: FEBRUARY 4, 2020
DATE: MARCH 4, 2020
DATE: MARCH 18, 2020
JOB # 1629
DATE: JANUARY 10, 2019
SHEET 1 OF 1

*TWO RIVERS COMMONS*  
*LOCATED WITHIN TWO RIVERS COMMERCIAL*  
*CENTER MINOR SUBDIVISION*  
*CITY OF SALIDA*  
*CHAFFEE COUNTY, COLORADO*

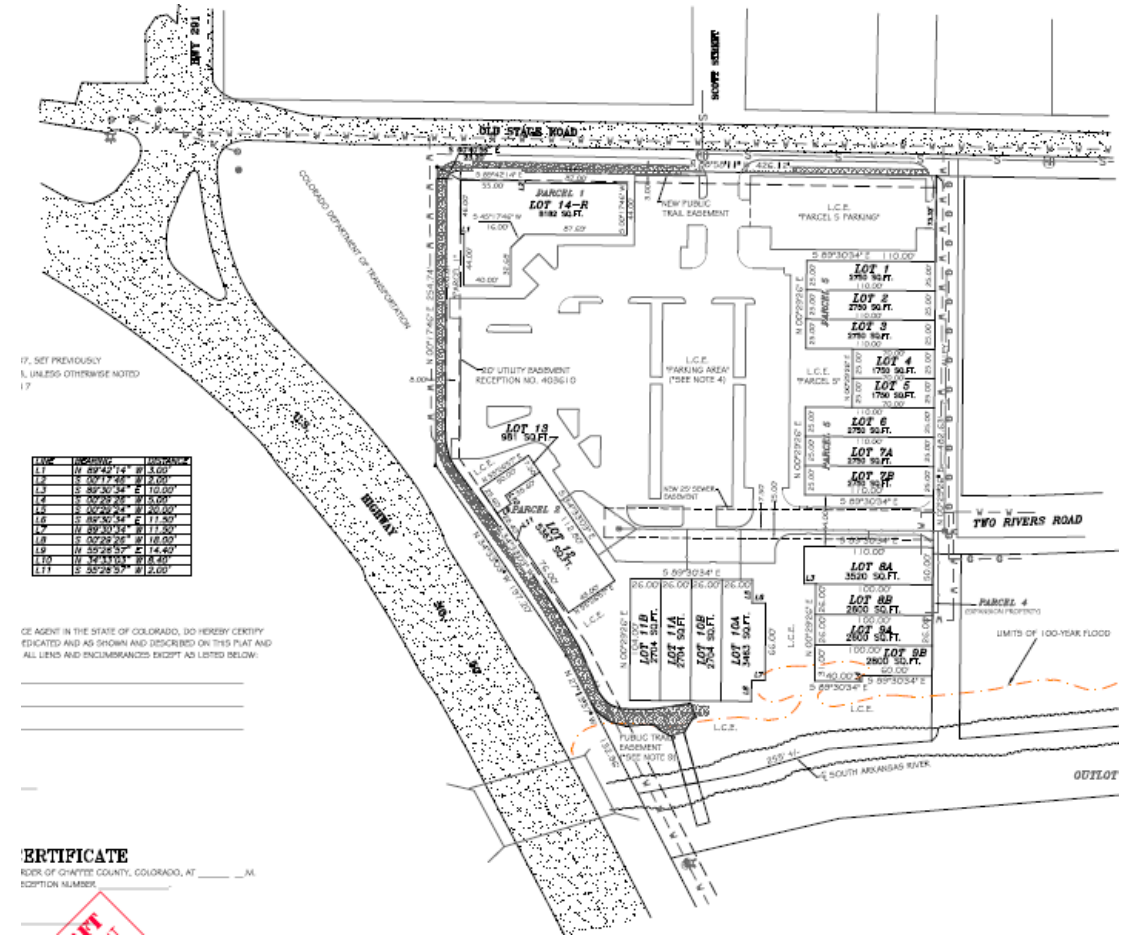


**LANDMARK**  
SURVEYING & MAPPING  
P.O. BOX 668 SAUIDA, CO 81201  
PH 719.539.4021 FAX 719.539.4031





Existing Two Rivers Commons Plat



Proposed Two Rivers Commons Plat

**CITY OF SALIDA, COLORADO**  
**RESOLUTION NO. 38**  
**(Series 2018)**

**A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO  
APPROVING THE FINAL SUBDIVISION PLAT FOR TWO RIVERS COMMERCIAL  
CENTER MAJOR SUBDIVISION LOCATED AT 1 OLD STAGE ROAD.**

**WHEREAS**, the property owners, Old Stage, LLC (“Developer”) made application for approval of a Major Subdivision for Two Rivers Commercial Center Major Subdivision; and

**WHEREAS**, the property (“Property”) that is subject to the proposed subdivision is described as Lots 1, 2, 3, 4 and 5; and Outlot A of the Two Rivers Commercial Center Minor Subdivision as recorded at Reception # 436258 of the Chaffee County Recorder’s Office; and

**WHEREAS**, the property is zoned C-2, Central Business; and

**WHEREAS**, the Planning Commission and City Council held a conceptual meeting on the proposed Major Subdivision on April 16, 2018; and

**WHEREAS**, on June 25, 2018 the Salida Planning Commission held a public hearing and recommended approval of the Two Rivers Commercial Center Major Subdivision, development of which will consist of a mixed-use development of 50,001 square feet or greater floor area, subject to conditions; and

**WHEREAS**, the Salida City Council held a duly noticed public hearing on July 17, 2018.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council for the City of Salida that:

The Two Rivers Commercial Center Major Subdivision is hereby approved, subject to the following conditions:

1. Developer shall receive final approval by staff of the on-site development plans including landscaping and hardscape; as well as the parking analysis and architectural designs, prior to issuance of a building permit.
2. Developer shall receive final approval of the plans for the public improvements on-site and the half width of Old Stage Road from SH 291 to the eastern edge of the subject site per the attached Exhibit A, prior to the issuance of a building permit. Other required plan corrections are outlined in the memo from the Public Works Director (Exhibit B). Applicant will continue to work with staff on ability to provide additional paving north of the center of 60 foot right-of-way to total two complete travel lanes.
3. Provide exclusive easement for the public sewer and water lines that are within Outlot



A.

4. Designate the portion of the 20 foot utility easement that includes the public trail as a utility and public trail easement.
5. Developer shall enter into a subdivision improvement agreement that guarantees the construction of the public sewer and water lines within the site. Improvements shall be complete prior to issuance of a Certificate of Occupancy.
6. Developer to complete the construction of the improvements to the intersection of Oak Street and Highway 50 as mandated by CDOT and the additional improvement to CR 105 described in #2. For the intersection of Oak Street and Highway 50, fees in lieu for a portion of the intersection improvements may be proposed by CDOT. The City may, at their option, utilize the in lieu fees for future intersection planning and/or improvements.
- 6.7. The ground floor of buildings shall be for commercial uses.

**RESOLVED, APPROVED AND ADOPTED on this 17th day of July, 2018.**

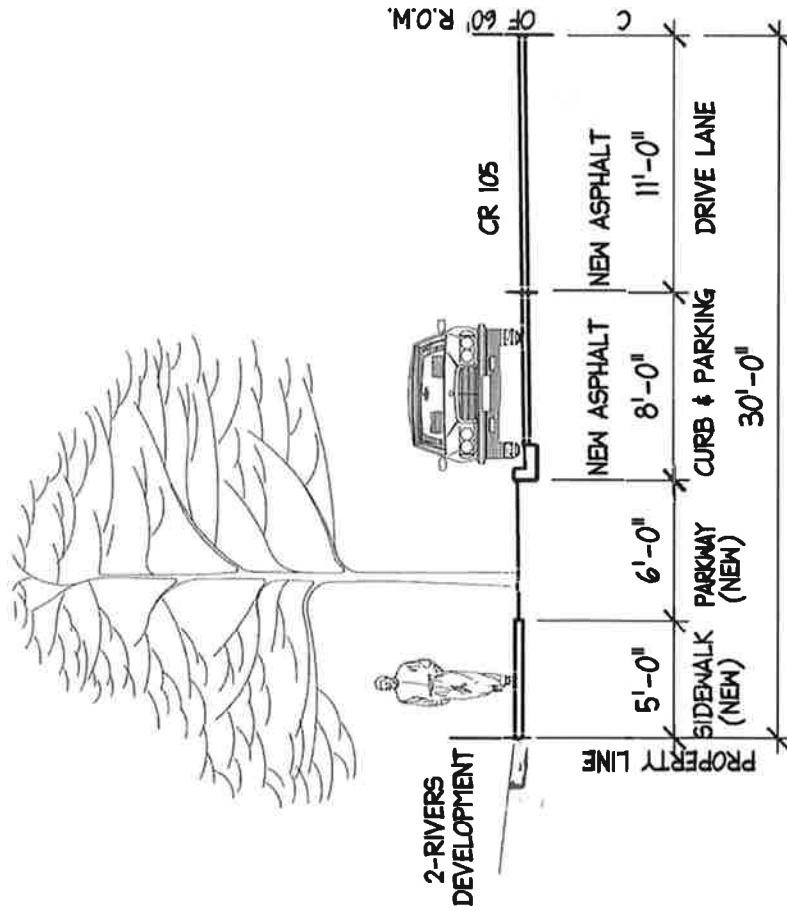
CITY OF SALIDA, COLORADO

  
Mayor P.T. Wood

ATTEST:

  
City Clerk

EXHIBIT A



A STREET PROFILE: CR 105  
A.00 CITY STANDARD PROFILE --- BUILD TO CITY CONSTRUCTION STANDARDS  
ALONG DEVELOPMENT SIDE OF EXISTING ROAD

## EXHIBIT B



June 21, 2018

RE: Two Rivers Commercial Development  
Public Works Plan Review

To: Glen VanNimwegen, Community Development Director

Public Works has completed a review of the Two Rivers Commercial Development plans dated 5/18/2018. Comments are provided below.

1. Provide cover sheet with index.
2. Neither the Commercial Plans or the Applicant's proposed CDOT SH-291 Improvements Plans on file with the City, show CR-105/Old Stage Road Improvements from the intersection of SH-291 to the eastern boundary of the commercial parcel. It is recommended that CR105/Old Stage Road be improved within this section to match the City's standard 60-ft ROW street cross-section.
3. SH-291 (Oak Street) and Highway 50 intersection improvements to be completed according to CDOT permit requirements.
4. Sheet C2; water main serving Lot 4 shall be 8-inch minimum per Design Criteria Manual.
5. The 6-inch water main stubbed to the west between Lot 4 and 5 does not appear to serve any lots and shall be removed. Mains shall 8-inch minimum per Design Criteria Manual.
6. Sheet C9/10; EX-MH-1 calls out three invert outs. This should be corrected. Stationing or northing/easting should be shown on plans to match call-outs.
7. Water plan and profile sheets were not included in the plan set and shall be provided.
8. Plans show multiple stormwater pipe discharges directly into the South Arkansas River. It would appear that discharge location should be moved further away from the normal high water mark, specifically for the 18-inch pipe. Water quality and sediment control improvements need further detailing. See the City of Salida's Stormwater Criteria Manual for guidance.
9. Planned irrigation, fire protection, or other use requiring a testable backflow device shall be reported to public works prior to connection pursuant to Ordinance 2017-03.

Plat Comments

1. A Final Plat to be provided to Public Works for review. 25-ft public water and sewer exclusive utility easements shall be provided for all public mains as shown.
2. Provide plat note that water and sewer mains shall be accepted by City in accordance with improvements agreement prior to issuance of building permit.

Plans shall be resubmitted for review prior to approval.

Thanks,

A handwritten signature in cursive script that reads "David Lady".

David Lady, P.E., Director of Public Works

**CITY OF SALIDA, COLORADO  
RESOLUTION NO. 48  
(Series 2018)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO  
AMENDING RESOLUTION 2018-38 WHICH APPROVED THE FINAL SUBDIVISION  
PLAT FOR TWO RIVERS COMMERCIAL CENTER MAJOR SUBDIVISION  
LOCATED AT 1 OLD STAGE ROAD.**

**WHEREAS**, the property owners, Old Stage, LLC ("Developer") made application for approval of a Major Subdivision for Two Rivers Commercial Center Major Subdivision; and

**WHEREAS**, the City Council approved the subdivision on July 17, 2018 subject to seven conditions; and

**WHEREAS**, Condition #7 was added by the City Council to restrict the use of the ground floor space of the buildings to only commercial uses; and

**WHEREAS**, the property is zoned C-2, Central Business, which allows commercial and residential uses; and

**WHEREAS**, the Developer has proposed new wording to Condition #7 to allow residential uses in the rear 50% of certain commercial spaces; and

**WHEREAS**, the Salida City Council held a public hearing on November 6, 2018 to consider the proposed amendment.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council for the City of Salida that:

The Two Rivers Commercial Center Major Subdivision, approved by Resolution 2018-38, is hereby amended with the following change to condition #7 to read as follows:

7. On the ground floor, residential uses are permitted only within the rear 50% of the conditioned space located on either Parcel 4 or Parcel 5 as depicted on the final plat. The rear of the structure is defined as the side that abuts the alley shown on the final plat.

All other conditions remain as adopted on July 17, 2018.

**RESOLVED, APPROVED AND ADOPTED on this 6th day of November, 2018.**



CITY OF SALIDA, COLORADO



  
Mayor P.T. Wood

ATTEST:

  
City Clerk

MARCH 6, 2020

# Legal Notice

CPAXLP

**PUBLIC NOTICE  
NOTICE OF 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 March 23, 2020  
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 East First Street, Suite 190,  
Salida, Colorado on the application of Old  
Stage, LLC as represented by Tom Pokorny.  
The application is for Limited Impact  
Review approval for a minor subdivision  
to re-subdivide Lots 7-11 and 14-15 into  
approximately nine (9) lots of the Two Rivers  
Common mixed-use subdivision located at  
116-152 Old Stage Road.

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, (719) 530-2631.  
Published in The Mountain Mail March 6,  
2020