



## CITY COUNCIL ACTION FORM

DEPARTMENT	PRESENTED BY	DATE
Planning	Kristi Jefferson - Senior Planner	April 4, 2023

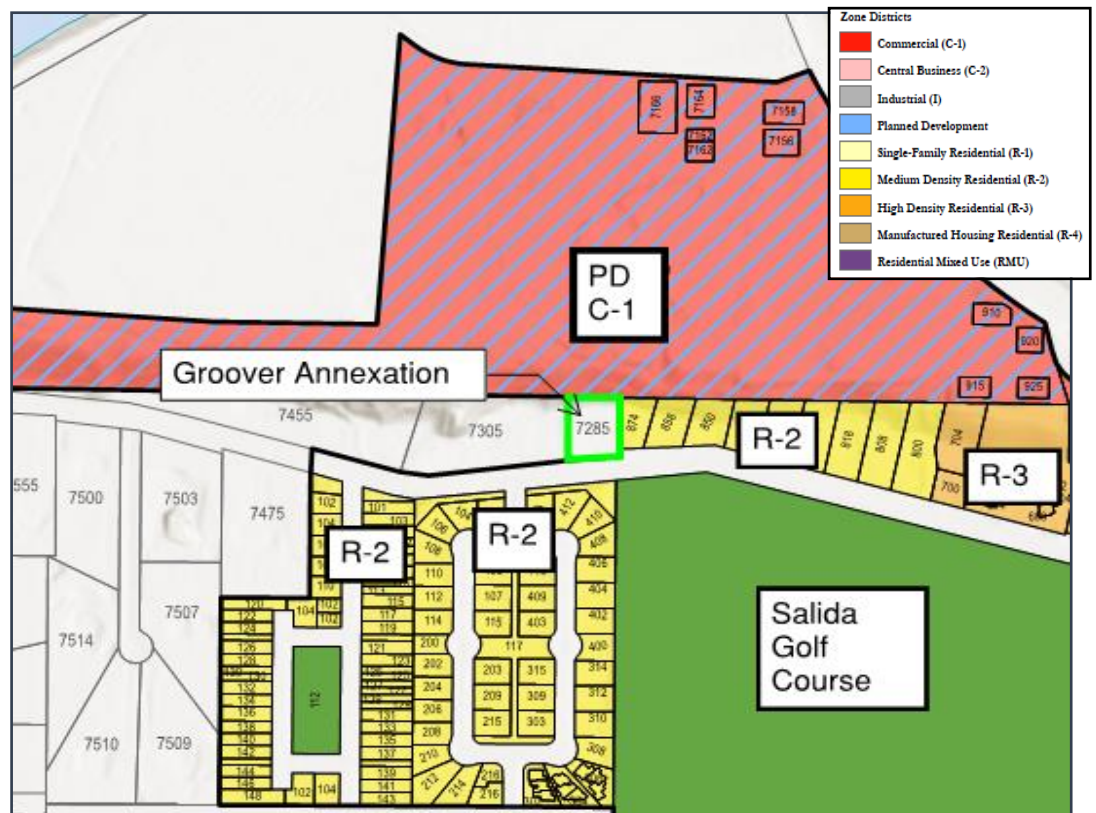
### ITEM

Ordinance 2023-07: Second reading and Public Hearing on proposed zoning of Medium Density Residential (R-2) for the Groover Annexation.

### BACKGROUND

Following approval of the Groover Annexation of the .65 acre property into the City of Salida, applicant's Dewey and Lorita Groover have requested a designation of the Medium Density Residential (R-2) zone district. The area annexed must be brought under the municipality's zoning ordinance within 90 days from the effective date of the annexation ordinance.

The property is located along County Road 160, as shown on the map below. A complete legal description is shown as exhibit A with the annexation application.



**Surrounding Land Use and Zoning:** The site is currently zoned RES (Residential Zone District) in Chaffee County. The properties immediately to the west remain in Chaffee County and are also zoned RES. The properties to the north, south and east are within the city limits.



## CITY COUNCIL ACTION FORM

DEPARTMENT	PRESENTED BY	DATE
Planning	Kristi Jefferson - Senior Planner	April 4, 2023

The properties to the east and south are zoned Medium Density Residential (R-2) and the property to the north is the HRRMC campus that is zoned Commercial (C-1) with a Planned Development overlay.

### **REVIEW STANDARDS FOR MAP AMENDMENTS (Section 16-4-210):**

1. Consistent with Comprehensive Plan. The proposed amendment shall be consistent with the Comprehensive Plan.
  - The Comprehensive Plan includes the goals that new projects should complement the neighborhood's mass and scale; be focused within the Municipal Services Area (MSA) and be developed at maximum densities to make the best use of available infrastructure.
  - The zoning of R-2 would be consistent with the zoning found in adjacent developments and would continue the regular pattern of zone district application.
2. Consistency with Purpose of Zone District. The proposed amendment shall be consistent with the purpose of the zone district to which the property is to be designated.
  - Per the land use code, the purpose of the Medium-Density Residential (R-2) zone district is to provide for residential neighborhoods comprised of detached single-family dwellings, duplex dwellings and multi-family residences on smaller lots than are permitted in the Single-Family Residential (R-1) zone district, allowing for slightly greater overall densities. Complementary land uses may also include such supporting land uses as parks, schools, churches, home occupations or day care, amongst other uses.
  - The parcel being annexed has a single-family residence and a detached garage. The applicant has indicated that in the future they will be constructing an Accessory Dwelling Unit (ADU) in order to provide housing for their daughter.
  - Staff supports the request to zone the subject property as Medium-Density Residential (R-2).



## CITY COUNCIL ACTION FORM

DEPARTMENT	PRESENTED BY	DATE
Planning	Kristi Jefferson - Senior Planner	April 4, 2023

3. Compatibility with Surrounding Zone Districts and Uses. The development permitted by the proposed amendment shall be compatible with surrounding zone districts, land uses and neighborhood character.
  - The zoning classification of Medium Density (R-2) is consistent and compatible with the adjacent properties to the south and east of the property.
4. Changed Conditions or Errors. The applicant shall demonstrate that conditions affecting the subject parcel or the surrounding neighborhood have changed, or that due to incorrect assumptions or conclusions about the property, one (1) or more errors in the boundaries shown on the Official Zoning Map have occurred.
  - The proposed zoning is occurring because of the requirement to zone the property when annexed into the City in accordance with Section 16-4-50 of the Land Use and Development Code.

### **PLANNING COMMISSION RECOMMENDATION**

A public hearing with the Planning Commission was held February 28, 2023, and the Commission recommended Council approve the proposed zoning of the site as Medium Density Residential (R-2).

### **STAFF RECOMMENDATION**

Staff recommends approval of the proposed zoning of the Groover Annexation site as Medium Density Residential (R-2).

### **SUGGESTED MOTION**

A council person should make the motion to “approve Ordinance 2023-07, an ordinance of the City of Salida, Colorado zoning certain real property known as the Groover Annexation as Medium Density Residential (R-2) and ordering the ordinance to be published by title only.”

Attachments: Ordinance 2023-07  
Application materials

**CITY OF SALIDA, COLORADO  
ORDINANCE NO. 07  
SERIES OF 2023**

**AN ORDINANCE OF THE CITY OF SALIDA, COLORADO, ZONING CERTAIN REAL  
PROPERTY KNOWN AS THE GROOVER ANNEXATION AS MEDIUM DENSITY  
RESIDENTIAL (R-2) ZONE DISTRICT**

**WHEREAS**, on January 20, 2023, Dewey Groover III and Lorita Groover filed a General Development Application (the “Petition”) to commence proceedings to annex to the City of Salida (the “City”) a certain unincorporated tract of land comprised of .65 acre located at 7285 C.R. 160 in the County of Chaffee, State of Colorado (the “Property”), and being more particularly described on Exhibit A, attached hereto and incorporated herein by reference; and

**WHEREAS**, by Ordinance No.06, Series of 2023 the City of Salida annexed the Groover Annexation to the City; and;

**WHEREAS**, Petitioner has filed an application to zone the Property within the Medium Density Residential (R-2) zone district, and on February 28, 2023 the City of Salida Planning Commission considered the zoning application for the Property at a duly noticed public hearing and recommended that the City Council zone it as Medium Density Residential (R-2); and

**WHEREAS**, as required by the Salida Municipal Code, the public hearing on the zoning application for the Groover Annexation will be held on April 4, 2023 at a regularly scheduled meeting of the Salida City Council.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO, THAT:**

1. The aforementioned recitals are hereby fully incorporated herein.
2. The Property described on Exhibit A is hereby zoned Medium Density Residential.
3. Promptly following adoption of this Ordinance, the City Administrator shall cause the terms of this Ordinance to be incorporated into the Official Zoning Map of the City pursuant to Section 16-4-210 of the Salida Municipal Code. The signed original copy of the Zoning Map shall be filed with the City Clerk. The Clerk shall also record a certified copy of this Ordinance with the Chaffee County Clerk and Recorder. The City staff is further directed to comply with all provisions of the Salida Land Use Regulations, SMC §16-1-10, et seq., to implement the provisions of this Ordinance.

INTRODUCED ON FIRST READING, on March 21, 2023, ADOPTED and set for second reading and public hearing on the 4<sup>th</sup> day of April, 2023.

CITY OF SALIDA, COLORADO

---

Dan Shore, Mayor

[SEAL]

ATTEST:

---

City Clerk/Deputy Clerk

PUBLISHED IN FULL in the Mountain Mail after First Reading on the \_\_\_\_ day of \_\_\_\_\_, 2023, and BY TITLE ONLY, after final adoption on the \_\_\_\_ day of \_\_\_\_\_, 2023.

---

City Clerk/Deputy City Clerk

## **EXHIBIT A**

A tract of land located in the Northwest ¼ of the Southeast ¼ of Section 31, Township 50 North, Range 9 East of the New Mexico Principal Meridian in Chaffee County, Colorado, described as follows:

Beginning at a point on the north boundary of the said Northwest ¼ Southeast ¼ of Section 31, said point being marked, as are each of the tract corners, by a 5/8-inch rebar with a 1 ½-inch aluminum cap stamped "LS 36575";

Thence North 89°18'11" West along said north boundary 150.04 feet to a rebar and cap as described above;

Thence South 00°13'23" West 197.94 feet to a point on the north boundary of Chaffee County Road No. 160, said point being marked by a rebar and cap as described above;

Thence North 83°28'47" East along said northerly county road boundary, 151.11 feet to a rebar and cap as described above;

Thence North 00°12'51" East 178.94 feet to the point of beginning.

Containing 0.65 Acre, more or less.

Also known by the following address:

7285 County Road 160, Salida, CO 81201

And assessor's schedule or parcel number: 368131400001



## 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 checked="" type="checkbox"/> Annexation               | <input type="checkbox"/> Administrative Review:<br>(Type) _____                      |
| <input type="checkbox"/> Pre-Annexation Agreement            | <input type="checkbox"/> Limited Impact Review:<br>(Type) _____                      |
| <input type="checkbox"/> Appeal Application (Interpretation) | <input checked="" type="checkbox"/> Major Impact Review:<br>(Type) <u>R-2 Zoning</u> |
| <input type="checkbox"/> Certificate of Approval             | <input type="checkbox"/> Other: _____  |
| <input type="checkbox"/> Creative Sign Permit                |  |
| <input type="checkbox"/> Historic Landmark/District          |  |
| <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: Dewey G. Groover III and Lorita R. Groover

Mailing Address: 7285 County Road 160, Salida, CO 81201

Telephone Number: Home (Priority) 719-539-2114 Dewey's Cell = 719-207-3725 FAX: \_\_\_\_\_

Email Address: dewabbylor@outlook.com

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

#### B. Site Data

Name of Development: Groover Annexation

Street Address: 7285 County Road 160  
see Groover Annexation Plat

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 \_\_\_\_\_ Date Nov. 18, 2022

Signature of property owner Lorita R. Groover Date Nov. 18, 2022

Lorita R. Groover

November 18, 2022

Dear Kristi Jefferson, City of Salida, Senior Planner:

We are Lorita R. Groover and Dewey G. Groover III and are the owners of property located at 7285 County Road 160, Salida, CO 81201.

We are requesting annexation of our property into the City of Salida. We are requesting this annexation to have a zoning classification of Medium Density Residential (R-2).

Thank you for your consideration,

  
Lorita R. Groover

  
Dewey G. Groover III