



## CITY COUNCIL ACTION FORM

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

### ITEM

Ordinance 2023-06: Second Reading and Public Hearing on the proposed Groover Annexation of the .65 acre property located at 7285 C.R.160.

### BACKGROUND

Property owners, Dewey and Lorita Groover submitted a Major Impact Review application to annex and zone their .65 acre property located at 7285 C.R.160.

On the North side of the site is the Heart of the Rockies Regional Medical Campus property and to the East and South are residential subdivisions.

There is a single-family residence and a detached garage on the property and the owners will be constructing an accessory dwelling unit (ADU) in the near future.



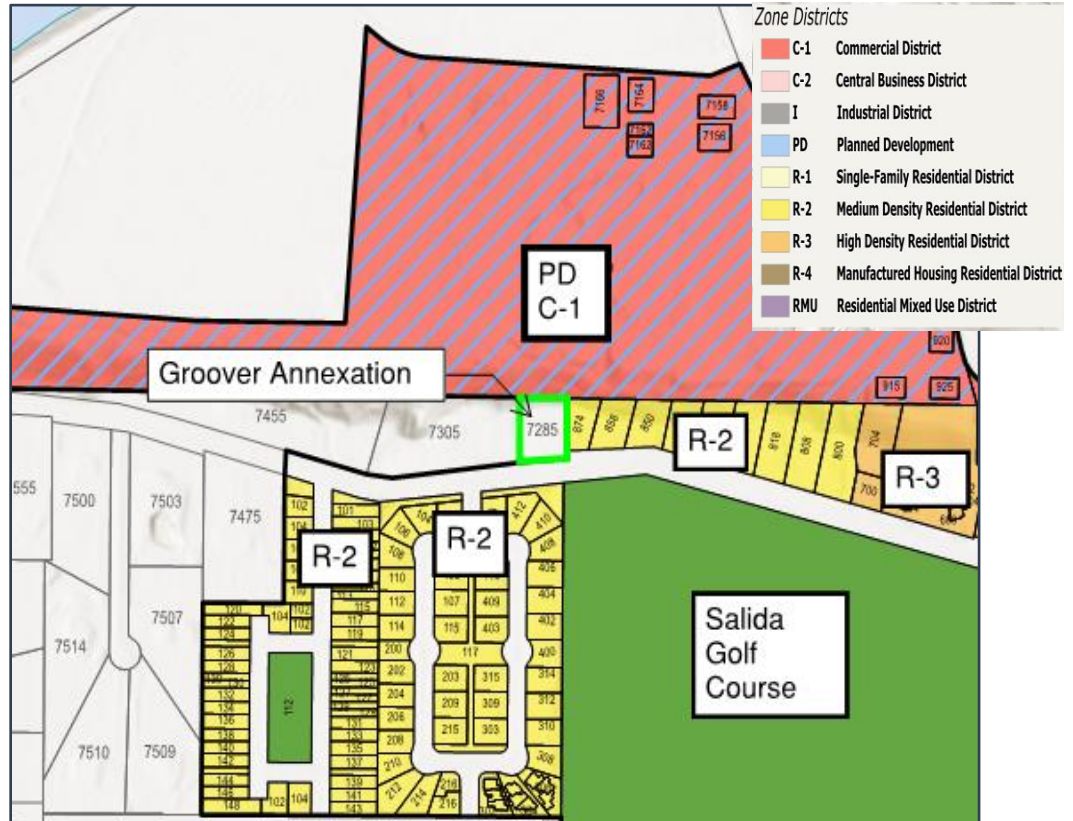


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**Surrounding Land Use and Zoning:** The site is currently zoned RES (Residential Zone District) in Chaffee County. The properties immediately to the west remain in Chaffee County and are also zoned RES. The properties to the north, south and east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

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.



## PROCESS:

An application for annexation is a multi-step process. When annexing a property, the City must follow state statutes for contiguity and procedural requirements. The steps and standards include:

- 1/6th of the perimeter of a proposed annexation must be contiguous with the City of Salida;
- Staff reviews the petition for compliance with city and state statutes and Council adopts a resolution stating the petition is valid and sets a public hearing date that is no less than 30 days and no greater than 60 days from the resolution date;

- On February 21, 2023 City Council adopted Resolution 2023-08 finding the Annexation petition in compliance with city and state statutes and set the public hearing date for April 04, 2023.





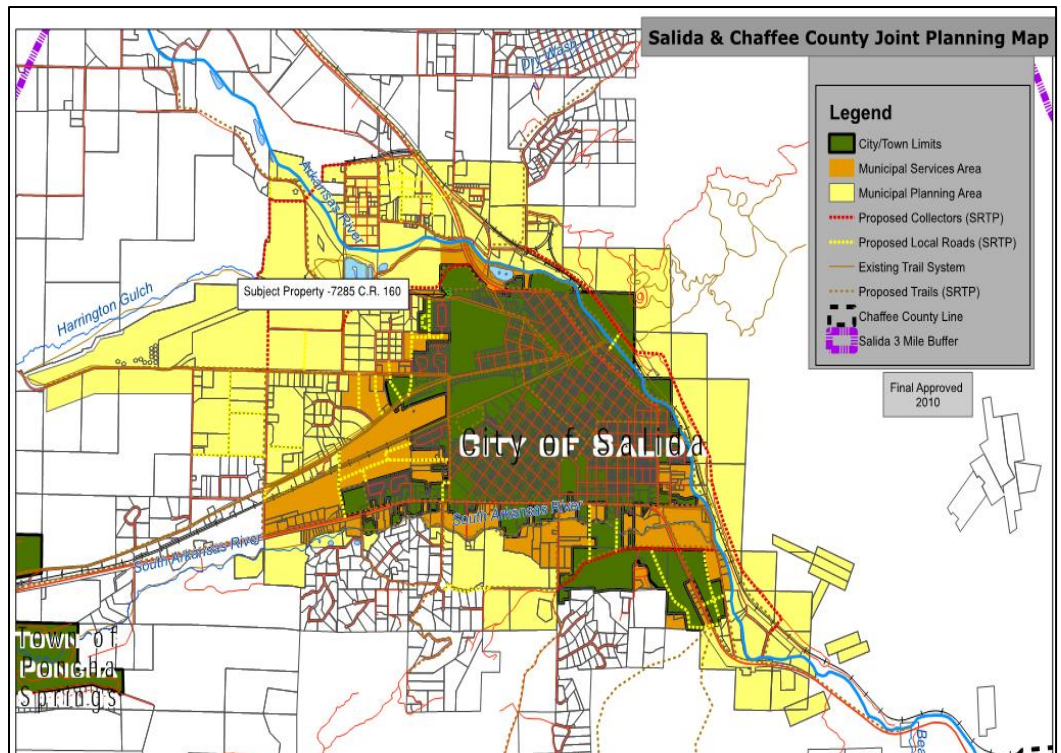
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- The (City Council) public hearing is advertised in the newspaper for four consecutive weeks;
- The Planning Commission holds a public hearing to review the annexation and recommend the zoning designation of the property;
- Council holds the public hearing on the annexation petition;
- Council reviews and possibly approves an annexation agreement; and
- Council holds a public hearing to review and possibly approves the proposed zoning.

## FINDINGS OF FACT:

1. The proposed annexation meets the required 1/6th contiguity with the municipal boundary of the City of Salida as shown on the annexation plat.
2. All applicable owners of the property are party to the annexation.
3. The annexation property is within the Municipal Services Area (MSA) of the City of Salida, as defined in the City's Comprehensive Plan and its intergovernmental agreement (IGA) with Chaffee County approved in 2010. According to the IGA, the MSA "encompasses properties which are eligible for annexation and extension of municipal utilities and infrastructure, within the parameters set forth in the Salida Municipal Code and Salida Comprehensive Plan, which may be amended from time to time."





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The annexation of the property is consistent with the vision and goals set forth in the Comprehensive Land Use Plan. Specifically, to promote new development projects that contain a variety of housing, including affordable units. The applicant will be required to meet the Inclusionary Housing Ordinance with new development on the property.

In addition, the proposal will provide for a logical extension of the City boundary to support the demand for residentially-zoned land, which will provide housing opportunities.

4. The property may be efficiently served by City fire and police departments.
5. The property is a natural extension of the City's municipal boundary and meets the legal requirements for annexation.

The timeline for the related requests to the annexation are as follows:

Proposed Action	Planning Commission Recommendation	City Council First Reading	City Council Final Action
Findings of Fact Resolution 2023-14			04/04/2023
Annexation Ordinance 2023-06	02/28/2023	03/21/2023	04/04/2023
Annexation Agreement Resolution 2023-15			04/04/2023
Zoning Ordinance 2023-07	02/28/2023	03/21/2023	04/04/2023

**Annexation Agreement:** On April 04, 2023, staff will propose an annexation agreement that will incorporate the Inclusionary Housing, Open Space and Fair Contributions to Public School site requirements.

### RESPONSE FROM REFERRAL DEPARTMENTS AND AGENCIES:

- **Salida Fire Department: Fire Chief, Doug Bess**, responded "No issues with Fire."
- **Salida Police Department: Police Chief, Russ Johnson**, responded "No issues from PD."
- **Salida Public Works Department: Public Works Director David Lady**, responded "The adjacent properties to the east constructed curb, gutter, and sidewalk. Since this property will



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likely not subdivide further, we should discuss if time of connection to public infrastructure would be the best trigger for completing these.”

- **Salida Finance Department: Staff Accountant, Renee Thonhoff**, responded “7285 County Road 160 does not have water or sewer on it at this time. Upon annexation system development fees for water & sewer will need to be paid.”
- **Chaffee County Planning Director, Miles Cottom**, responded “I have no concerns from the County perspective.”

### **PLANNING COMMISSION RECOMMENDATION**

A public hearing with the Planning Commission was held February 28, 2023, and the Commission recommended Council approve the proposed Groover Annexation with staffs recommended conditions.

### **STAFF RECOMMENDATION**

Staff recommends approval of the proposed annexation, subject to Council approval of an annexation agreement with the following conditions:

1. Owner shall meet the inclusionary housing requirements of Article XIII of Chapter 16 of the Salida Municipal Code at the time of building permit submittal for additional principal dwelling units constructed on the property.
2. Owner agrees to pay at the time of building permit all applicable fees for the property in the amounts set forth pursuant to the Salida Municipal Code, or as hereafter amended, namely the building plan review; water and sewer system development fees; and the Fair Contribution to School Sites per Section 16-6-140 of the Salida Municipal Code (SMC)).
3. Fees in lieu of open space shall be provided, in an amount then in effect, at the time of issuance of a building permit for new residential units constructed on the property.



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### **SUGGESTED MOTION**

A council person should make the motion to “approve Ordinance 2023-06 approving the annexation of the .65 acre parcel of land to the City of Salida known as the Groover Annexation and ordering the ordinance to be published by title only.”

Attachments: Ordinance 2023-06

Agency reviews

Groover Annexation petition and Annexation plat

Draft minutes from the February 28, 2023 Planning Commission meeting

**CITY OF SALIDA, COLORADO  
ORDINANCE NO. 06  
SERIES OF 2023**

**AN ORDINANCE OF THE CITY OF SALIDA, COLORADO ANNEXING TO THE CITY OF SALIDA A CERTAIN TRACT OF LAND IN UNINCORPORATED CHAFFEE COUNTY KNOWN AS THE GROOVER ANNEXATION**

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, pursuant to C.R.S. §31-12-108, the City Council by Resolution No. 08, Series of 2023 specified that the City Council would hold a hearing on the proposed annexation at its regular meeting on April 4, 2023, commencing at the hour of 6 p.m. in the City Council Chambers, 448 East First Street, Salida, Colorado; and

WHEREAS, pursuant to C.R.S. §31-12-108 to -110, the City Council on April 4, 2023 held a duly-noticed public hearing to consider the proposed annexation; and

WHEREAS, notice of such hearing was published on March 3, 2023, March 10, 2023, March 17, 2023 and March 24, 2023 in *The Mountain Mail* newspaper; and

WHEREAS, C.R.S. §31-12-105(1)(e) provides that prior to the completion of any annexation within a three-mile area, the municipality shall have in place a plan for that area, which generally describes the proposed location, character, and extent of streets, subways, bridges, waterways, waterfronts, parkways, playgrounds, squares, parks, aviation fields, other public ways, grounds, open spaces, public utilities and terminals for water, light, sanitation, transportation and power to be provided by the municipality and the proposed land uses for the area; and

WHEREAS, the City hereby sets forth its Findings of Fact, Determinations, and Conclusions with regard to annexation to the City of the Groover Annexation; and

WHEREAS, the City currently has in place a Comprehensive Plan and other long-range planning documents which constitute the City's annexation plan.

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

1. The City incorporates the foregoing recitals as findings and determinations by the City Council.

2. The City hereby approves the annexation of the Property described on Exhibit A, attached hereto with the following conditions of approval, and such real Property is hereby annexed to and made a part of the City of Salida.

1. Owner shall meet the inclusionary housing requirements of Article XIII of Chapter 16 of the Salida Municipal Code at the time of building permit submittal for additional principal dwelling units constructed on the property.

2. Owner agrees to pay at the time of building permit all applicable fees for the property in the amounts set forth pursuant to the Salida Municipal Code, or as hereafter amended, namely the building plan review; water and sewer system development fees; and the Fair Contribution to School Sites per Section 16-6-140 of the Salida Municipal Code (SMC)).

3. Fees in lieu of open space shall be provided, in an amount then in effect, at the time of issuance of a building permit for new residential units constructed on the property.

3. Within ten (10) days after final publication of this Ordinance, the City Clerk of the City of Salida, Colorado, on behalf of the City shall:

A. File one (1) copy of the Annexation Plat and the original of this Annexation Ordinance in the office of the City Clerk of the City of Salida, Colorado;

B. File for recording three (3) certified copies of this Annexation Ordinance and three (3) copies of the Annexation Plat, containing a legal description of the annexation parcel, with the County Clerk and Recorder of Chaffee County, Colorado, with directions to the Chaffee County Clerk and Recorder to file one certified copy of this Annexation Ordinance and one copy of the Annexation Map with the Division of Local Government of the Department of Local Affairs of the State of Colorado and one certified copy of this Annexation Ordinance and one copy of the Annexation Map with the Colorado Department of Revenue; and

C. File one certified copy of this Annexation Ordinance and one copy of the Annexation Map in the office of the County Assessor of Chaffee County, Colorado.

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



CITY OF SALIDA, COLORADO

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Dan Shore, Mayor

[SEAL]

ATTEST:

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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.

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City Clerk/Deputy City Clerk

## **EXHIBIT A**

A tract of land located in the Northwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  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  $\frac{1}{4}$  Southeast  $\frac{1}{4}$  of Section 31, said point being marked, as are each of the tract corners, by a 5/8-inch rebar with a 1  $\frac{1}{2}$ -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

**From:** [David Lady](#)  
**To:** ["Kristi Jefferson"](#); ["Russ Johnson"](#); ["Doug Bess"](#); ["Renee Thonhoff"](#)  
**Cc:** [mcottom@chaffeecounty.org](mailto:mcottom@chaffeecounty.org)  
**Subject:** RE: Agency review -Groover Annexation and Zoning application  
**Date:** Friday, February 3, 2023 9:42:36 AM  
**Attachments:** [image002.png](#)

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The adjacent properties to the east constructed curb, gutter, and sidewalk. Since this property will likely not subdivide further, we should discuss if time of connection to public infrastructure would be the best trigger for completing these.



**David Lady**  
*Director of Public Works*

**david.lady@cityofsalida.com**  
**P: 719-539-6257 | C: 719-239-0048**  
340 W. Hwy 291, Salida, CO 81201  
**cityofsalida.com**

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**From:** Kristi Jefferson [mailto:kristi.jefferson@cityofsalida.com]  
**Sent:** Wednesday, February 1, 2023 10:47 AM  
**To:** david.lady@cityofsalida.com; 'Russ Johnson' <rjohnson@salidapolice.com>; 'Doug Bess' <doug.bess@cityofsalida.com>; 'Renee Thonhoff' <renee.thonhoff@cityofsalida.com>  
**Cc:** mcottom@chaffeecounty.org  
**Subject:** Agency review -Groover Annexation and Zoning application

Attached is the agency review for the Groover Annexation and Zoning applications for their property located at 7285 C.R. 160. Please let me know if you have any concerns with the application.

Kristi Jefferson  
Senior Planner  
City of Salida  
448 E. First Street  
Suite 112  
Salida, CO 81201  
(719) 530-2626



*Sender and receiver should be mindful that all my incoming and outgoing emails may be subject to the Colorado Open Records Act, § 24-72-100.1, et seq.*

**From:** [Renee Thonhoff](#)  
**To:** [Kristi Jefferson](#)  
**Cc:** [david.lady@cityofsalida.com](mailto:david.lady@cityofsalida.com); [Russ Johnson](#); [Doug Bess](#); [mcottom@chaffeeconomy.org](mailto:mcottom@chaffeeconomy.org)  
**Subject:** Re: Agency review -Groover Annexation and Zoning application  
**Date:** Friday, February 3, 2023 3:54:08 PM  
**Attachments:** [image003.png](#)

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7285 County Road 160 does not have water or sewer on it at this time. Upon annexation system development fees for water & sewer in the following amounts will need to be paid.

\$8,512 Water Fee  
\$1,936 High Zone Fee  
\$ 375 Water Meter Fee  
\$5,206 Sewer Fee  
\$16,029 Total system development fees



**Our Office will be Closed Monday February 20th**

**Easy ways to pay your utility bill: auto pay with a checking account, phone payments 833.892.0176. or pay online please register at <https://www.municipalonlinepayments.com/salidaco> or download our iOS or Android app MyCivic Utilities. where you can now set up auto pay!**

Sender and receiver should be mindful that all my incoming and outgoing emails may be subject to the Colorado Open Records Act, § 24-72-100.1, et seq.

On Wed, Feb 1, 2023 at 10:47 AM Kristi Jefferson <[kristi.jefferson@cityofsalida.com](mailto:kristi.jefferson@cityofsalida.com)> wrote:

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**From:** [Russ Johnson](#)  
**To:** [Kristi Jefferson](#); [david.lady@cityofsalida.com](mailto:david.lady@cityofsalida.com); ["Doug Bess"](#); ["Renee Thonhoff"](#)  
**Cc:** [mcottom@chaffeeconomy.org](mailto:mcottom@chaffeeconomy.org)  
**Subject:** Re: Agency review -Groover Annexation and Zoning application  
**Date:** Wednesday, February 1, 2023 1:15:35 PM  
**Attachments:** [image003.png](#)

---

No concerns at this time from PD.

Get [Outlook for iOS](#)

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**From:** Kristi Jefferson <[kristi.jefferson@cityofsalida.com](mailto:kristi.jefferson@cityofsalida.com)>  
**Sent:** Wednesday, February 1, 2023 10:46:59 AM  
**To:** [david.lady@cityofsalida.com](mailto:david.lady@cityofsalida.com) <[david.lady@cityofsalida.com](mailto:david.lady@cityofsalida.com)>; Russ Johnson <[rjohnson@salidapolice.com](mailto:rjohnson@salidapolice.com)>; 'Doug Bess' <[doug.bess@cityofsalida.com](mailto:doug.bess@cityofsalida.com)>; 'Renee Thonhoff' <[renee.thonhoff@cityofsalida.com](mailto:renee.thonhoff@cityofsalida.com)>  
**Cc:** [mcottom@chaffeeconomy.org](mailto:mcottom@chaffeeconomy.org) <[mcottom@chaffeeconomy.org](mailto:mcottom@chaffeeconomy.org)>  
**Subject:** Agency review -Groover Annexation and Zoning application

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(719) 530-2626



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**From:** [Miles Cottom](#)  
**To:** [Kristi Jefferson](#)  
**Subject:** Re: Agency review -Groover Annexation and Zoning application  
**Date:** Wednesday, February 1, 2023 1:18:55 PM  
**Attachments:** [image003.png](#)

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Hey Kristi,

I have no concerns from the County's perspective.

Thank you,

--

**Miles W. Cottom**

Planning Director / Asst. County Attorney

Chaffee County Government

Phone: 719-221-3475

On Wed, Feb 1, 2023 at 10:47 AM Kristi Jefferson <[kristi.jefferson@cityofsalida.com](mailto:kristi.jefferson@cityofsalida.com)> wrote:

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Kristi Jefferson

Senior Planner

City of Salida

448 E. First Street

Suite 112

Salida, CO 81201

(719) 530-2626



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## 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

Lorita R. Groover

Signature of property owner \_\_\_\_\_ 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



## ANNEXATION 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. PROCEDURE (City Code Section 16-9-20)

#### A. Development Process

1. Pre-Application Conference. Optional.
2. Submit Application.
3. Staff Review for Completeness.
4. Resolution to Accept Application to City Council
5. Establish Public Hearing Date before Council per Colorado Municipal Annexation Act of 1965.
6. Staff Evaluation of Application and Annexation Agreement (if applicable)
7. Establish Public Hearing Date Before the Planning Commission.
8. Public Notice Provided For Hearings.
9. Public Hearing Conducted by Commission.
10. Annexation Ordinance to City Council for 1<sup>st</sup> and 2<sup>nd</sup> Reading.

### 2. APPLICATION CONTENTS (City Code Section 16-9-40)

#### 1. General Development Application

#### 2. Annexation Petition

3. **Annexation Map.** The preferred scale of the map is one (1) inch equals one hundred (100) feet; the minimum allowable scale is one (1) inch equals two hundred (200) feet. Sheet size shall be twenty-four (24) inches by thirty-six (36) inches. If it is necessary to draw the map on more than one (1) sheet, a sheet index shall be placed on the first sheet. The annexation map shall contain the following:
  - a. Annexation Name
  - b. Legal description. Legal description of the perimeter
  - c. Names and addresses. Names and addresses of the owners, subdivider, land planner and land surveyor registered in the State.
  - d. Scale
  - e. North arrow
  - f. Date. The date the map was prepared.
  - g. Boundary lines and dimensions. Boundary lines of the proposed annexation. Distinction of the boundary that is contiguous to the City and the length of the same boundary on the map, including required showing of contiguity in feet.
  - h. Platted lots. Lot and block numbers if the area is already platted.
  - i. Improvements and easements. The location and dimensions of all existing and proposed streets, alleys, easements, ditches and utilities within or adjacent to the proposed annexation.
  - j. Vicinity map. The vicinity map shall show the location of the proposed annexation, in relation to the City.
  - k. Acreage. Total acreage to be annexed.
  - l. Certificates. Certificates required to appear on the final annexation plat are described in Section 16-9-40 of the Land Use Code.
4. **Digital Copy.** A digital copy of the plat compatible with the City GIS shall be submitted.
5. **Application Fee** \$3,000 cash or check made out to City of Salida (\$1,000 application fee + \$2,000 retainer for attorney's fees)

**7. Public Notice.**

- a) 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 proof of posting the public notice.

**8. Petition for Exclusion from the South Arkansas Fire Protection District (optional)**

**9. Notarized Special Fee and Cost Reimbursement Agreement completed**



## **ANNEXATION PETITION**

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### **TO THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO, GREETINGS:**

The undersigned hereby petition(s) the City of Salida to annex to the City of Salida the territory shown on the map(s) attached hereto and described on the attachment hereto:

This Petition is signed by the landowners qualified to sign. It is intended that this Petition be a one hundred percent (100%) petition for annexation as described in C. R. S. 1973, Section 31-12-107(l)(g), (as amended).

In support of this petition, the undersigned state(s) and allege(s) as follows, to wit:

1. That it is desirable and necessary that the above-described territory be annexed to the City of Salida.
2. That petitioners are landowners of one hundred percent (100%) of the territory, excluding streets and alleys, herein proposed for annexation to the City of Salida.
3. That no less than one-sixth of the aggregate external boundaries of the above-described territory hereby petitioned to the City of Salida is contiguous to the City limits of the City of Salida.
4. Accompanying this petition are two mylars and twenty copies of the annexation map.
5. That a community of interest exists between the above-described territory and the City of Salida, and that the same is urban, or will be urbanized in the near future, and further that the said territory is integrated or is capable of being integrated in the City of Salida.
6. That the above-described territory does not include any area which is the same or substantially the same area in which an election for an annexation to the City of Salida, was held within the twelve months preceding the filing of this petition.
7. That the above-described territory does not include any area included in another annexation proceeding involving city other than the City of Salida.
8. That the above-described territory is not presently a part of any incorporated city, city and county, or town.
9. That the above area described will (not) result in the detachment of the area from any school district and the attachment of the same to another school district.

## ANNEXATION PETITION

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### "INSERT A"

(Description of territory proposed for annexation)

A tract of land located in the Northwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  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  $\frac{1}{4}$  Southeast  $\frac{1}{4}$  of Section 31, said point being marked, as are each of the tract corners, by a 5/8-inch rebar with a 1  $\frac{1}{2}$ -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 addresses:

7285 County Road 160, Salida, CO 81201

And assessor's schedule or parcel number: 368131400001

## ANNEXATION PETITION

This Section must be filled out if there are multiple properties/property owners petitioning annexation.

Signature of Petitioners Requesting Annexation to the City of Salida, Colorado	Date of Signature of Each Petitioner	Mailing Address of each Petitioner	Description of Property Included the Area Proposed for Annexation Owned by Each person Signing this Petition. (Attach separate sheet, if necessary)
Dewey George Groover III	11-18-2022		
Lorita R. Groover	11-18-2022		



# PLANNING COMMISSION REGULAR MEETING

448 E. 1st Street, Room 190 Salida, Colorado 81201

February 28, 2023 - 6:00 PM

## MINUTES

Email public comments to: [publiccomment@cityofsalida.com](mailto:publiccomment@cityofsalida.com)

Please register for the Planning Commission meeting:  
<https://attendee.gotowebinar.com/rt/1909092342220683277>

### CALL TO ORDER BY CHAIRMAN – 6:19 PM

### ROLL CALL

### PRESENT

Chairman Greg Follet  
Vice-Chair Francie Bomer  
Commissioner Giff Kriebel  
Commissioner Judith Dockery  
Commissioner Michelle Walker  
Commissioner Brian Colby  
Commissioner Aaron Derwingson  
Alternate Commissioner Dan Bush

### APPROVAL OF THE MINUTES

#### 1. January 23, 2023 - Draft Minutes

Motion to approve the Meeting Minutes from January 23<sup>rd</sup>, 2023 made by Vice-Chair Bomer, Seconded by Commissioner Derwingson.

Voting Yea: Chairman Follet, Vice-Chair Bomer, Commissioner Kriebel, Commissioner Dockery, Commissioner Walker, Commissioner Colby, Commissioner Derwingson

**MOTION PASSED.**

### UNSCHEDULED CITIZENS: NA

### AMENDMENT(S) TO AGENDA: NA

### PUBLIC HEARINGS

Public Hearings will follow the following procedure:

- |   |  |
|---|--|
| A. Open Public Hearing                      | E. Public Input                          |
| B. Proof of Publication                     | F. Close Public Hearing                  |
| C. Staff Review of Application/Proposal     | G. Commission Discussion                 |
| D. Applicant's Presentation (if applicable) | H. Commission Decision or Recommendation |

#### 2. **Groover Annexation** - The applicant's, Dewey and Lorita Groover, are requesting approval to annex their .65 acre property located at 7285 County Road 160.

**A. Open Public hearing – 6:20 pm**

**B. Proof of Publication –**

**C. Staff Review–** Planner Jefferson reviewed the application and staff recommended that Planning Commission recommends City Council approve the application subject to conditions to be added to the annexation agreement. The conditions are that they meet the current inclusionary housing

requirements, the owner agrees to pay at the time of building permit all applicable fees for the property and the fees in lieu of open space shall be provided.

Commission asked the following questions:

- To what extent could development occur on that particular acreage?

**D. Applicant's Presentation-** Lorita and Dewey Groover were present and spoke on the application.

**E. Public Input –** NA

**F. Close Public Hearing –** 6:25 pm

**G. Commissioner Discussion –**

Commission discussed the following:

- At what point does the sidewalk requirement come in?

**H. Commission Recommendation –**

Motion made by Vice-Chair Bomer to recommend City Council approve the proposed Groover Annexation as it meets the findings of fact for annexation, subject to the following recommended conditions to be included in the annexation agreement, conditions number one through three, Seconded by Commissioner Kriebel.

Voting Yea: Chairman Follet, Vice-Chair Bomer, Commissioner Kriebel, Commissioner Dockery, Commissioner Walker, Commissioner Colby, Commissioner Derwingson

**MOTION PASSED.**

- 3. Groover Zoning - Major Impact Review** - The applicant's, Dewey and Lorita Groover, are requesting a zoning designation of the Medium Density Residential (R-2) zone district should their property be annexed.

**A. Open Public hearing –** 6:28 pm

**B. Proof of Publication –**

**C. Staff Review–** Planner Jefferson reviewed the application and staff recommends that Planning Commission recommends City Council approve the zoning request of the Medium Density Residential (R-2) zone district.

**D. Applicant's Presentation-** Lorita and Dewey Groover were present.

**E. Public Input –** NA

**F. Close Public Hearing –** 6:29 pm

**G. Commissioner Discussion –** NA

**H. Commission Recommendation –**

Motion made by Vice-Chair Bomer to recommend City Council approve the proposed zoning of the site as Medium Density Residential (R-2) Zone district, Seconded by Commissioner Walker.

Voting Yea: Chairman Follet, Vice-Chair Bomer, Commissioner Kriebel, Commissioner Dockery, Commissioner Walker, Commissioner Colby, Commissioner Derwingson

**THE MOTION PASSED.**

## UPDATES

Community Development Director, Almquist provided updates.

**ADJOURN** With no further business to come before the Commission, the meeting adjourned at 6:44 p.m.