



## STAFF REPORT

**MEETING DATE:** June 24, 2024

**AGENDA ITEM TITLE:** Bondurant Minor Subdivision – Limited Impact Review

**AGENDA SECTION:** Public Hearing

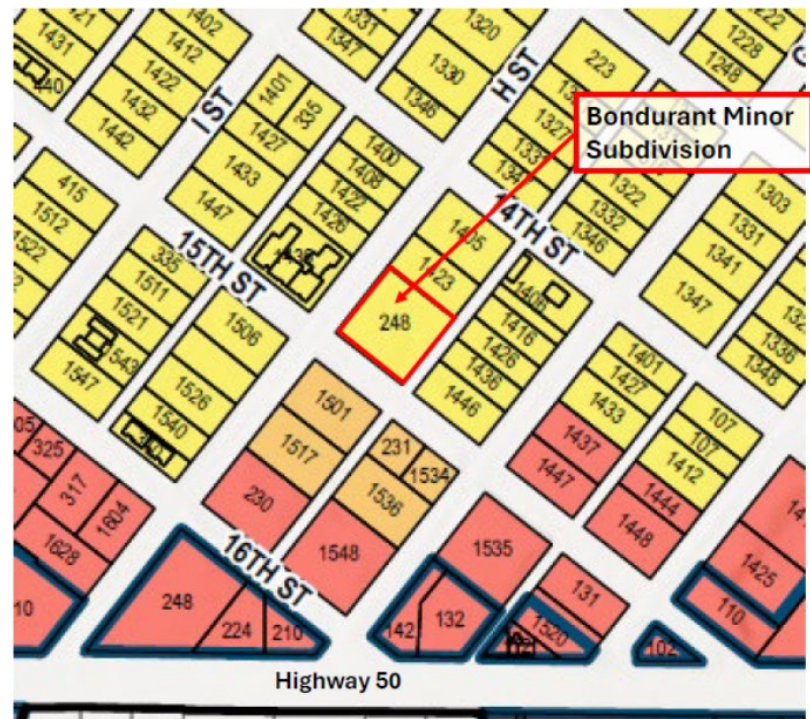
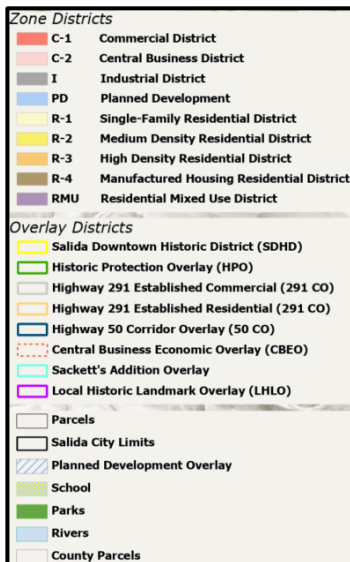
### REQUEST:

The hearing is regarding a Limited Impact Review application submitted by Gene Bondurant for approval of a minor subdivision to subdivide the parcel known as Lots 13-18, Block 168, Kelcey's Addition to the City of Salida, Chaffee County, Colorado, into three (3) lots. The property is located at 248 W. 15<sup>th</sup> Street, Salida, CO 81201 and is zoned Medium Density Residential (R-2).

### APPLICANT:

The applicant is Eugene A. Bondurant, who resides in Coaldale, CO.


### LOCATION:



The proposed minor plat reconfigures the existing six lots into three lots:

**Lot 2:** Is a new vacant lot of 5,631.5 square feet. The lot has frontage on H Street, but no direct access to the alley.

Lot 3: Has frontage on 15<sup>th</sup> Street and is parallel to the alley. This lot is 5,627.3 square feet. There is an existing 528 square foot garage that will remain, and a 132 square foot shed that will be removed. Staff is suggesting language be added to the plat to allow the use of the garage until the sale of Lot 3, and then the use my resume after issuance of a building permit.



**LEGEND:**

- Section 1/4, 1/2, 3/4, 1/8, 1/16, 1/32, 1/64, 1/128, 1/256, 1/512, 1/1024, 1/2048, 1/4096, 1/8192, 1/16384, 1/32768, 1/65536, 1/131072, 1/262144, 1/524288, 1/1048576, 1/2097152, 1/4194304, 1/8388608, 1/16777216, 1/33554432, 1/67108864, 1/134217728, 1/268435456, 1/536870912, 1/1073741824, 1/2147483648, 1/4294967296, 1/8589934592, 1/17179869184, 1/34359738368, 1/68719476736, 1/137438953472, 1/274877906944, 1/549755813888, 1/1099511627776, 1/2199023255552, 1/4398046511104, 1/8796093022208, 1/17592186044416, 1/35184372088832, 1/70368744177664, 1/140737488355328, 1/281474976710656, 1/562949953421312, 1/1125899906842624, 1/2251799813685248, 1/4503599627370496, 1/9007199254740992, 1/18014398509481984, 1/36028797018963968, 1/72057594037927936, 1/144115188075855872, 1/288230376151711744, 1/576460752303423488, 1/1152921504606846976, 1/2305843009213693952, 1/4611686018427387904, 1/9223372036854775808, 1/18446744073709551616, 1/36893488147419103232, 1/73786976294838206464, 1/147573952589676412928, 1/295147905179352825856, 1/590295810358705651712, 1/1180591620717411303424, 1/2361183241434822606848, 1/4722366482869645213696, 1/9444732965739290427392, 1/18889465931478580854784, 1/37778931862957161709568, 1/75557863725914323419136, 1/151115727451828646838272, 1/302231454903657293676544, 1/604462909807314587353088, 1/1208925819614629174706176, 1/2417851639229258349412352, 1/4835703278458516698824704, 1/9671406556917033397649408, 1/19342813113834066795298816, 1/38685626227668133590597632, 1/77371252455336267181195264, 1/154742504910672534362390528, 1/309485009821345068724781056, 1/618970019642690137449562112, 1/1237940039285380274899124224, 1/2475880078570760549798248448, 1/4951760157141521099596496896, 1/9903520314283042199192993792, 1/19807040628566084398385987584, 1/39614081257132168796771975168, 1/79228162514264337593543950336, 1/158456325028528675187087900672, 1/316912650057057350374175801344, 1/633825300114114700748351602688, 1/1267650600228229401496703205376, 1/2535301200456458802993406410752, 1/5070602400912917605986812821504, 1/10141204801825835211973625643008, 1/20282409603651670423947251286016, 1/40564819207303340847894502572032, 1/81129638414606681695789005144064, 1/162259276829213363391578010288128, 1/324518553658426726783156020576256, 1/649037107316853453566312041152512, 1/1298074214633706907132624082305024, 1/2596148429267413814265248164610048, 1/5192296858534827628530496329220096, 1/10384593717069655257060992658440192, 1/20769187434139310514121985316880384, 1/41538374868278621028243970633760768, 1/83076749736557242056487941267521536, 1/166153499473114484112975882535043072, 1/332306998946228968225951765070086144, 1/664613997892457936451903530140172288, 1/1329227995784915872903807060280344576, 1/2658455991569831745807614120560689152, 1/5316911983139663491615228241121378304, 1/10633823966279326983230456482242756608, 1/21267647932558653966460912964485513216, 1/42535295865117307932921825928971026432, 1/85070591730234615865843651857942052864, 1/170141183460469231731687303715884105728, 1/340282366920938463463374607431768211456, 1/680564733841876926926749214863536422912, 1/1361129467683753853853498429727072845824, 1/2722258935367507707706996859454145691648, 1/5444517870735015415413993718908291383296, 1/10889035741470030830827987437816582766592, 1/21778071482940061661655974875633165533184, 1/43556142965880123323311949751266331066368, 1/87112285931760246646623899502532662132736, 1/174224571863520493293247799005065244265472, 1/348449143727040986586495598010130488530944, 1/696898287454081973172991196020260977061888, 1/1393796574908163946345982392040521954123776, 1/2787593149816327892691964784081043908247552, 1/5575186299632655785383929568162087816495104, 1/11150372599265311570767859136324175632990208, 1/22300745198530623141535718272648351265980416, 1/44601490397061246283071436545296702531960832, 1/89202980794122492566142873090593405063921664, 1/178405961588244985132285746181186810127843328, 1/356811923176489970264571492362373620255686656, 1/7136238

Providing utilities to the lots that do not have direct access to the alley requires some creative easements. Also, the existing garage located to the rear of new Lot 3 could continue to be used until the lot is sold. Staff is suggesting language be added to the plat.

A public hearing is conducted by the Planning Commission for the minor subdivision process, after public notice in a newspaper of general circulation, mailing letters to property owners within 175 feet and posting a sign on the property 15 days prior to the hearing. The Commission have the options to approve, approve with conditions, deny

the application, or remand it back to the applicant with instructions for modification or additional information or action.

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

- 1) The site is zoned R-2 which would allow single-family residences on the three lots (1–3). Lot 1 includes an existing residence but could be redeveloped into three new residences at max allowed density. This is consistent with development in the surrounding Salida neighborhoods.

Lot #	R-2 Requirements			Bondurant Minor Subdivision		
	Min Lot Area (SF)	Lot Area per Unit (SF)	Lot Frontage (detached)	Lot Area (SF)	Lot Frontage (feet)	Expected Units
1	5,625	3,125	37.5 feet	11,262.1	99.95	1*
2	5,625	3,125	37.5 feet	5,631.5	50	1
3	5,625	3,125	37.5 feet	5,627.3	37.5	1

\*The home at 248 W. 15<sup>th</sup> Street was constructed in 1964. R-2 requirements would allow up to three (3) units if it is redeveloped in the future.

- 2) Fees-in-Lieu: New minor subdivisions require the collection of the following fees-in-lieu at an amount that are in place at the time of submission of building permits:
  - a) The current Inclusionary Housing requirements must be met. If the fee-in-lieu option is chosen it must be paid before a certificate of occupancy is granted.
  - b) Fair Contribution to Schools is collected at the time a building permit is issued.
  - c) The applicant may choose to construct a 5-foot-wide sidewalk along both street frontages of the subdivision as required. At the Public Works Director discretion this requirement could also be met through a fee-in-lieu which would be collected prior to recording the plat, or at the time of issuing the building permit if approved through a separate agreement.
  - d) Open space fee-in-lieu are required at the time of issuing a building permit.
- 3) Each lot will have separate connections to the City water and sewer services. Each unit will be metered individually.
- 4) The applicant proposes to keep the existing masonry garage at the rear of the new Lot 3. This is an allowed accessory use, but only if the primary use (residence) exists (Sec. 16-4-90(b)). Staff is suggesting language be added to the plat to allow the use of the garage until the sale of Lot 3, and then the use may resume after issuance of a building permit.
- 5) Xcel Energy (electric) initially commented on the utility easements provided within the subdivision, primarily as they affect Lot 3. This is because Lot 1 is served by overhead power and communication lines and the new lot 2 also needs access to

the utilities in the alley. To address these concerns the applicant revised the plat providing two, 15' wide easements that cross Lot 3. Also, an aerial easement over Lot 3 is granted in case the overhead lines need to be maintained. Attachment 4 is a letter from Xcel Energy describing the process for approval to provide services to Lots 1 and 3. Staff is suggesting the applicant continue to coordinate with Xcel.

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

1. **Conformance with the Comprehensive Plan.** The proposed subdivision shall carry out the purpose and spirit of the Comprehensive Plan and conform to all of the Plan's applicable objectives, guiding principles and recommended actions. It shall be designed to be compatible with surrounding land uses and to protect neighbors from undesirable noise, glare and shadows, and shall not cause adverse effects on their privacy, solar access and views.
  - The proposed subdivision is consistent with the Future Land Use Map adopted last August which designates the area as Variable Residential Neighborhoods. Infill, redevelopment and maximizing the density allowances are encouraged in Chapter 3, Land Use and Growth section of the comprehensive plan. The proposed minor subdivision creates three (3) lots that are compatible in size with other lots in the area.
  - New development should complement the neighborhood's mass and scale. The allowed residential development is compatible with the surrounding land uses.
2. **Complies with the Zone District Standards.** The proposed subdivision shall comply with the use and dimensional standards of the underlying zone district and shall provide off-street parking as required for those uses.
  - The newly created lots are zoned Medium Density Residential (R-2) and meet the zone district standards.
  - The off-street parking requirement that must be met is one space for each unit.
  - Lots 2 and 3 can only be developed as single-family homes. Lot 1 has an existing home but could be redeveloped in the future for up to three units. The redevelopment would have to be in accordance with the R-2 standards.
3. **Design Standards.** The proposed subdivision shall be provided with improvements which comply with Article VII and landscaping which complies with Section 16-8-90 of this Chapter.
  - a. **Streets.** Existing and proposed streets shall be suitable and adequate to carry anticipated traffic within and in the vicinity of the proposed subdivision.

- The existing streets are suitable for the proposed subdivision. Public Works staff is recommending a sidewalk be added along the frontages, or the applicant pay a fee-in-lieu of constructing the sidewalk.
- b. **Utilities.** Existing and proposed utility services shall be suitable and adequate to meet the needs of the proposed subdivision.
- Adequate utilities are in place to serve the development. Each new unit will have separate utilities. The existing home on Lot 1 is currently served by a  $\frac{3}{4}$  inch water meter and sewer tap. Final inspections are required with Public Works prior to Certificate of Occupancy.
  - Xcel Energy has commented on how to provide electric utilities to the new lots as there are aerial electric lines to the existing home and Lot 2 is not adjacent to the alley. The applicant has addressed this by providing two, 15 foot wide easements across new Lot 3, and a blanket overhead easement for existing electric and communication lines. Staff is suggesting the applicant continue to coordinate with Xcel.
- c. **Phases.** If the subdivision is to be developed in phases, each phase shall contain the required parking spaces, landscape areas, utilities and streets that are necessary for creating and sustaining a stable environment.'
- There will not be phases with this development.
4. **Natural Features.** The layout of lots and blocks shall provide desirable settings for structures by making use of natural contours and maintaining existing views, affording privacy for residents and protecting them from adverse noise and vehicular traffic. The system of roadways and the lot layout shall be designed to take advantage of visual qualities of the area. Natural features and native vegetation shall be preserved whenever possible. Tree masses and individual trees of six-inch caliper or greater shall be preserved.
- There are no major natural features located within this subdivision.
5. **Floodplains.** Tracts of land or portions thereof lying within the one-hundred-year floodplain may only be subdivided for open space until the subdivider has shown that compliance with the requirements of the City's floodplain regulations can be met.
- The property is not located within the 100-year floodplain.
6. **Noise Reduction.** Where a subdivision borders on or contains a highway right-of-way, the City shall require adequate provisions for reduction of noise. A parallel street, landscaping, screening, easement, greater lot depth, increased rear yard setbacks and fencing are potentially appropriate solutions, among others.

- This subdivision does not border a highway right-of-way.
7. **Future Streets.** When a tract is subdivided into lots or parcels which are intended for future re-subdivision, such lots or parcels shall be arranged to permit the logical location and opening of future streets and appropriate re-subdivision, with provision for adequate utility easements and connectors for such re-subdivision.
- This subdivision is not intended for future re-subdivision, though Lot 1 could be redeveloped.
8. **Parks, Trails and Open Space.** Each subdivision, minor or major, or condominium project with five (5) units or more, shall dedicate and develop land or pay a fee-in-lieu for the purpose of providing active parks, open space, passive recreation facilities and/or recreation trails or other public purposes as determined by the City for the benefit of those who occupy the property and be made accessible to the public. The intent of this regulation is to ensure that a comprehensive, integrated network of parks, trails and open spaces is developed and preserved as the community grows.
- This subdivision will be required to provide the open space fees that will be collected at the time of issuance of the building permit.
9. **Common Recreation Facilities.** Where a development is proposed to contain common recreation facilities, such facilities shall be located within the development so as to be easily accessible to the residents and to least interfere with neighboring developments.
- This development does not include any common recreation facilities.
10. **Lots and Blocks.**
- a. **Pattern.** The size, shape and orientation of lots shall be appropriate to the design and location of the proposed subdivision and to the type of development contemplated. Where appropriate, lots shall be laid out to respect the existing City pattern. Blocks generally shall not be less than three hundred (300) feet nor more than one thousand two hundred (1,200) feet in length.
    - Lot 2 stays in the pattern of the surrounding lots. Lot 3 cuts off the other two lots to the alley, which is the location of sewer, electric and communication utilities. The proposed subdivision addresses these complications with easements that cross Lot 3. Staff is suggesting the applicant continue to coordinate with Xcel.
  - b. **Frontage.** Residential lots should front only on local streets; however, when necessary, lots designated to face a collector street shall provide adequate

means for automobile turnaround within the lot and should provide consolidated access points to the maximum extent feasible.

- The lots front on a local streets.
- c. Right angles. Side lot lines shall be approximately at right angles or radial to street lines.
  - This standard has been met.
- d. Double frontage lots. Double frontage lots are prohibited, except where they are necessary to provide for the separation of residential development from collector or arterial streets or to overcome specific limitations of topography or orientation. A planting and screening easement of at least ten (10) feet shall be provided along the portion of the lot which abuts such a collector or arterial street. There shall be no right of access across a planting and screening easement. The screening easement shall be maintained by the property owner.
  - There are no double frontage lots.
- e. “T” intersections. The building area of lots shall not face directly into the oncoming traffic of an intersecting street of a “T” intersection.
  - There will not be any building areas facing a “T” intersection.
- f. Solar energy. For purposes of protecting and enhancing the potential of utilizing solar energy in the proposed subdivision, detached single-family lots are encouraged to be laid out in such a manner that the houses will be oriented so that their long axis will run east/west and so that the houses will not block the solar access of adjacent houses.
  - The new lots are generally oriented east/west, as much as can be allowed keeping the side lot lines perpendicular to the existing street grid.

## **11. Architecture.**

- The minimum standard is the same building front elevation cannot be repeated more than every fifth lot or directly across the street. There are no new lots across the street that are a part of this subdivision, and the two new lots are oriented to different streets.

## **12. Codes.** The subdivision shall comply with all applicable City building, fire and safety codes for the proposed development.

- It will comply with all applicable building, fire and safety codes.

### 13. Inclusionary Housing.

- The inclusionary housing requirements will most likely be met in this case by providing the fee-in-lieu option, will be assessed at the time of building permit submission. A note is recommended be added to the plat or approved through a subdivision improvement agreement.

**REVIEW AGENCY COMMENTS:** The Public Works Director, Fire Chief, Police Chief, Finance Department, Xcel Energy, Atmos Energy and Salida Public Schools were invited to comment on the subdivision plat application. The following comments were received in response to this request.

**Finance Department:** System development fees must be paid at the time of issuance of a building permit. There is currently one ¾ inch water meter and sewer tap serving the existing home.

**Salida Fire Department, Kathy Rohrich, Assistant Chief:** Fire has no concerns with this subdivision.

**Salida Police Department, Russ Johnson, Chief:** No issues from PD at this time.

**Public Works Director, David Lady:** Provide a five-foot-wide sidewalk, or a fee-in-lieu equal to the construction cost of the sidewalk, at the discretion of the PW Director.

**Xcel Energy:** Their correspondence referenced concerns with the overhead electric that must continue to serve Lot 1. Also, Lot 2 does not have frontage on the alley. The applicant has since provided two 15-foot-wide easement across Lot 3, one to serve Lot 1 and the other for Lot 3. Lot 3 also is subject to an easement to allow maintenance of the existing overhead lines that are above it. Attachment 4 is the letter from Xcel Energy regarding their concerns. Staff is suggesting a condition to the approval be added to ensure applicant continues to work with them regarding utility access.

**Atmos Energy:** No concerns at this time.

**Salida Public Schools:** The district superintendent responded that they will accept the Fair Contribution to School Sites fee-in-lieu.

**RECOMMENDED FINDINGS:** The purpose of the limited impact review process for a minor subdivision is to determine the compliance of the application with the review standards contained in Section 16-6-120.

1. The application complies with the comprehensive plan and the proposed subdivision shall carry out the purpose and spirit of the comprehensive plan and conform to all of the applicable objectives, guiding principles and recommended actions.

2. The applicant has complied with the review standards for subdivisions.

**REQUIRED ACTIONS BY THE COMMISSION:**

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

**STAFF RECOMMENDATION:**

Staff recommends the Planning Commission approve the minor subdivision application, subject to the following conditions:

1. Provide the following notes on the minor subdivision prior to recording, or reference a separately approved subdivision agreement:
  - a. Pursuant to Section 16-6-140, Fair Contributions to School Sites as may be amended, at the time that residential dwelling units are constructed on any of the lots herein, a payment in lieu of land dedication for Fair Contributions to 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.
  - b. New residential units constructed within the subdivision shall meet the inclusionary housing requirements of Article XIII of Chapter 16 of the Salida Municipal Code. The applicants for building permits agree to provide an in-lieu fee at the rate in effect at the time of building permit application of any for any new residential units within the subdivision.
  - c. Parks, Trails and Open Space fee-in-lieu shall be provided at the time of development (issuance of a building permit).
  - d. The existing garage on Lot 3 may continue to be used as such until the sale of Lot 3 and then may only be used until issuance of a building permit for the principal residence.
2. Per Section 16-8-20 (e)(13)(i) A detached sidewalk of at least five (5) feet wide, with a thickness of at least four (4) inches of concrete, shall be installed along local streets in a limited impact review, or as determined by The Public Works Director, a fee-in-lieu be paid at time of development. Time of development may be recording of the subdivision or as provided in a subdivision improvement agreement.

3. Water and sewer system development fees are due at the time of issuance of a building permit.
4. The applicant will continue to work with Xcel Energy to receive approval of utility access and maintenance as outlined in Attachment 4.

**RECOMMENDED MOTION: “I make a motion to approve the Bondurant Minor Subdivision as it meets the review standards for a subdivision, subject to the conditions recommended by staff.”**

Attachments:

1. Proof of Publication
2. Application Materials
3. Bondurant Minor Subdivision Plat
4. Letter from Xcel Energy

**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, June 24, 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 regarding a Limited Impact Review application submitted by Gene Bondurant for approval of a minor subdivision to subdivide the parcel known as Lots 13-18, Block 168, Kelcey's Addition to the City of Salida, Chaffee County, Colorado, into three (3) lots. The property is located at 248 W. 15th Street, Salida, CO 81201.

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.

Published in The Mountain Mail June 7, 2024



## 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:  
(Type) Minor Subdivision
- ☐ Major Impact Review:  
(Type) \_\_\_\_\_
- ☐ Other: \_\_\_\_\_

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

#### A. Applicant Information

Name of Applicant: GENE BONDURANT - AUSTIN

Mailing Address: PO BOX 150 COLORADO CO 81222

Telephone Number: 719 530 1590 FAX: \_\_\_\_\_

Email Address: BONDURANT AUSTIN 9@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

Name of Development: (GENE) BONDURANT MINOR SUBDIVISION

Street Address: 248 W 15<sup>th</sup> ST

Legal Description: Lot 13-18 Block 168 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 Gene Bondurant Date 4-24-2024

Signature of property owner Gene Bondurant Date 4-24-2024



## 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;
- ☐ 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:
    - 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).

- ☐ 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);

- ☐ 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;

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

☐ 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.

LOT ARE SAME AS PAPER

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.

MEET STANDARD

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

STANDARD

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.

SAME AS AREA

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.

NO NUISANCE

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.

NA

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.

NO IMPACT

QUITCLAIM DEED

THIS DEED, Made this 5<sup>th</sup> day of April, 1995 .  
between

MABLE LaVONNE BONDURANT

of the said \*County of Chaffee and State of  
Colorado, grantor(s), and

MABEL LaVONNE BONDURANT

whose legal address is 248 West 15th Street Salida, Co 81201

of the said County of Chaffee and State of Colorado, grantee(s),

WITNESSETH, That the grantor(s), for and in consideration of the sum of  
One Dollar and other valuable consideration -----Dollars  
the receipt and sufficiency of which is hereby acknowledged, ha s  
these presents do es remise, release, sell and QUITCLAIM unto the grantee(s), her heirs, successors and assigns,  
forever, all the right, title, interest, claim and demand which the grantor(s) ha s in and to the real property, together with  
improvements, if any, situate, lying and being in the County of Chaffee and State of  
Colorado, described as follows:

Lots No. 13, 14, 15, 16, 17 and 18  
Block No. 168  
KELSEY'S ADDITION to the  
Town (now City) of Salida  
Chaffee County, Colorado

also known by street and number as: 248 West 15th Street Salida, Co 81201

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging or in  
anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever, of the grantor(s), either in law or equity,  
to the only proper use, benefit and behoof of the grantee(s) her heirs and assigns forever.

IN WITNESS WHEREOF, The grantor(s) ha s executed this deed on the date set forth above.

Mable LaVonne Bondurant  
MABLE LaVONNE BONDURANT

STATE OF COLORADO,

County of Chaffee

The foregoing instrument was acknowledged before me this 5th day of April, 19 95,  
by MABLE LaVONNE BONDURANT

My commission expires 7/22/95, 19 . Witness my hand and official seal.



Cheryl Gordon  
Notary Public

\*If in Denver, insert "City and".

Name and Address of Person Creating Newly Created Legal Description (§ 38-35-106.5, C.R.S.)

374926  
1 of 1

6/18/2008 12:30 PM  
DEED RS\$6.00 D\$0.00

JOYCE M. RENO  
Chaffee County Clerk

State Documentary Fee  
Date JUN 18 2008  
\$

**PERSONAL REPRESENTATIVES' DEED**  
(Testate Estate)

THIS DEED is made by CHERYL LAVONNE MORENZ and AUSTIN EUGENE BONDURANT as co-Personal Representatives of the ESTATE OF MABEL LAVONNE BONDURANT, a/k/a Mabel La Vonne Bondurant, Mabel L. Bondurant, Mabel Bondurant, Mable Lavonne Bondurant, Lavonne M. Bondurant, and Lavonne Bondurant, deceased, Grantor, to CHERYL LAVONNE MORENZ and AUSTIN EUGENE BONDURANT, as tenants in common, whose address is P. O. Box 150, Coal Dale, Colorado 81222, Grantees.

WHEREAS, the above-named decedent in her lifetime made and executed her Last Will and Testament dated November 30, 2000, which Will was duly admitted to informal probate on August 31, 2007, by the District Court, in and for the County of Chaffee and State of Colorado, Probate No. 07PR35; and

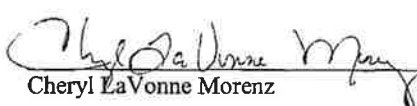
WHEREAS, the decedent died on the date of August 4, 2007, and Grantors were duly appointed co-Personal Representatives of the Estate on August 31, 2007, and are now qualified and acting in said capacity; and

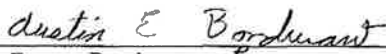
NOW THEREFORE, pursuant to the powers conferred upon Grantors by the Colorado Probate Code, Grantors do hereby sell, convey, assign transfer and release unto Grantees, as the persons entitled to distribution, the following described real estate situate in the County of Chaffee, State of Colorado:

Lots No. 13, 14, 15, 16, 17 and 18  
Block No. 168  
KELSEY'S ADDITION to the Town (now City) of Salida  
Chaffee County, Colorado

Also known as: 248 West 15th Street, Salida CO 81201

Executed this 17<sup>th</sup> day of June, 2008.

  
Cheryl LaVonne Morenz


  
Austin Eugene Bondurant  
Co-Personal Representatives of the Estate of Mabel Lavonne Bondurant, a/k/a Mabel La Vonne Bondurant, Mabel L. Bondurant, Mabel Bondurant, Mable Lavonne Bondurant, Lavonne M. Bondurant, and Lavonne Bondurant, deceased,

STATE OF COLORADO )  
 ) ss.  
COUNTY OF CHAFFEE )

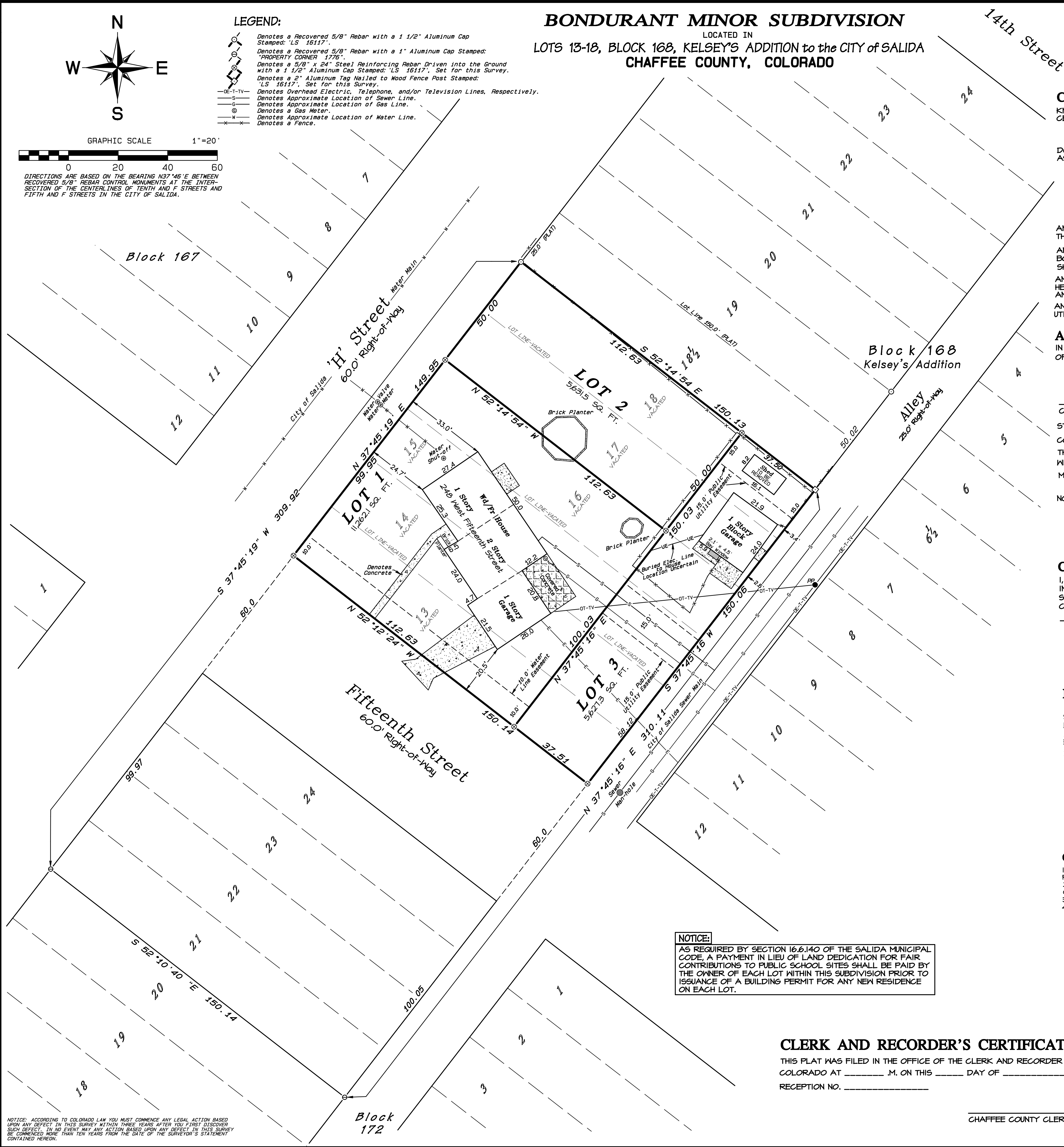
The foregoing **Personal Representatives' Deed (Testate Estate)** was acknowledged before me this 17<sup>th</sup> day of June, 2008, by Cheryl LaVonne Morenz and Austin Eugene Bondurant as co-Personal Representatives of the Estate Mabel Lavonne Bondurant, a/k/a Mabel La Vonne Bondurant, Mabel L. Bondurant, Mabel Bondurant, Mable Lavonne Bondurant, Lavonne M. Bondurant, and Lavonne Bondurant, deceased,

Witness my hand and official seal.

My commission expires: August 1, 2011

  
Rhyllis Persinger  
Notary Public

Address: 124 W. 2nd Street  
Salida CO 81201



**CERTIFICATE OF DEDICATION AND OWNERSHIP:**

KNOW ALL MEN BY THESE PRESENTS, THAT THE UNDERSIGNED, BEING ALL OF THE OWNERS, MORTGAGEES AND LIEN HOLDERS OF CERTAIN LAND IN THE CITY OF SALIDA, CHAFFEE COUNTY, COLORADO, DESCRIBED AS FOLLOWS:

Lots No. 13, 14, 15, 16, 17 and 18, Block No. 168, KELSEY'S ADDITION to the Town (now City) of Salida, Chaffee County, Colorado.

DO HEREBY LAY-OUT, PLAT AND SUBDIVIDE THE ABOVE DESCRIBED PROPERTY, WITH BEARINGS, DISTANCES AND EASEMENTS AS SHOWN ON THIS PLAT, TO BE KNOWN AS:

**LOTS 1, 2 & 3, BONDURANT MINOR SUBDIVISION**  
LOCATED WITHIN LOTS 13-18, BLOCK 168, KELSEY'S ADDITION

IN THE  
CITY OF SALIDA  
CHAFFEE COUNTY, COLORADO

AND LOT 1 SHALL BE SUBJECT TO A TEN (10.0) FOOT WIDE WATER LINE EASEMENT ADJACENT TO THE SOUTHWESTERLY BOUNDARY THEREOF, SAID EASEMENT FOR THE PLACEMENT OF A WATER SERVICE LINE TO LOT 3, THE LOCATION OF WHICH IS SHOWN HEREON.

AND LOT 3 SHALL BE SUBJECT TO A FIFTEEN (15.0) FOOT WIDE PUBLIC UTILITY EASEMENT ADJACENT TO THE NORTHEASTERLY BOUNDARY THEREOF, SAID EASEMENT FOR THE PLACEMENT OF PUBLIC UTILITY LINES TO LOT 2, THE LOCATION OF WHICH IS SHOWN HEREON.

AND LOT 3 SHALL BE SUBJECT TO A FIFTEEN (15.0) FOOT WIDE PUBLIC UTILITY EASEMENT, THE LOCATION OF WHICH IS SHOWN HEREON, SAID EASEMENT FOR THE USE, MAINTENANCE AND REPAIR OF EXISTING GAS AND SEWER LINES TO LOT 1, AS WELL AS ANY ADDITIONAL PUBLIC UTILITIES AS NECESSARY FOR CONNECTION TO LOT 1.

AND LOT 3 IS SUBJECT TO THE RIGHTS OF OTHERS TO OPERATE, MAINTAIN, INSPECT AND REPAIR THE EXISTING OVERHEAD UTILITY LINES CROSSING SAID LOT AND PROVIDING SERVICE TO LOT 1.

**ACKNOWLEDGEMENTS:**

IN WITNESS WHEREOF, THE UNDERSIGNED HAVE CAUSED THESE PRESENTS TO BE EXECUTED ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

CHERYL LAVONNE MORENZ (OWNER)

AUSTIN EUGENE BONDURANT (OWNER)

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

WITNESS MY HAND AND OFFICIAL SEAL.

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

NOTARY PUBLIC: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

**CERTIFICATE OF TITLE INSURANCE COMPANY:**

I, BRETT W. EAKINS, A LICENSED TITLE INSURANCE EXAMINER REPRESENTING FIRST AMERICAN TITLE INSURANCE COMPANY IN THE STATE OF COLORADO DO CERTIFY THAT I HAVE EXAMINED THE TITLE TO THE REAL PROPERTY DEDICATED AND SHOWN ON THIS PLAT AND FOUND TITLE VESTED IN CHERYL LAVONNE MORENZ AND AUSTIN EUGENE BONDURANT, FREE AND CLEAR OF ALL LIENS AND ENCUMBRANCES, EXCEPT:

BRETT W. EAKINS

**LAND SURVEYOR'S STATEMENT:**

I, MICHAEL K. HENDERSON, A REGISTERED LAND SURVEYOR LICENSED TO PRACTICE IN THE STATE OF COLORADO, DO HEREBY STATE THAT THIS PLAT WAS PREPARED BY ME AND/OR UNDER MY DIRECT SUPERVISION AND IS BASED ON A MONUMENTED LAND SURVEY OF THE PROPERTY SHOWN AND DESCRIBED ON THIS PLAT, AS WELL AS THE NEIGHBORING LOTS, THAT SAID SURVEY WAS PERFORMED UNDER MY RESPONSIBLE CHARGE AND THAT SAID SURVEY AND PLAT ARE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

MICHAEL K. HENDERSON  
REG. L.S. NO. 16117  
STATE OF COLORADO

**GENERAL LAND SURVEYOR'S NOTES:**

- 1) PROPERTY DESCRIPTION BASED ON PERSONAL REPRESENTATIVES' DEED RECORDED AT RECEPTION NO. 314426 OF THE CHAFFEE COUNTY RECORDS.
- 2) DEED LINES ARE BASED ON AFOREMENTIONED PROPERTY DESCRIPTION, ON THE MAP OF THE CITY OF SALIDA AND ITS ADDITIONS AND ON THE LOCATIONS OF THE RECOVERED REBAR SURVEY MONUMENTS SHOWN AND DESCRIBED ON THIS PLAT.
- 3) THE LOCATIONS OF WATER, SEWER, GAS AND UNDERGROUND ELECTRIC LINES TO THE BUILDINGS, AS SHOWN HEREON ARE APPROXIMATE.
- 4) BUILDING DIMENSIONS ARE ALONG AND TO EXTERIOR BUILDING WALLS. ALL LINEAL MEASUREMENTS ARE U.S. SURVEY FEET.

**CITY OF SALIDA PLANNING COMMISSION APPROVAL:**

THIS PLAT IS APPROVED BY THE CITY OF SALIDA PLANNING COMMISSION ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

CHAIRMAN

**CLERK AND RECORDER'S CERTIFICATE:**

THIS PLAT WAS FILED IN THE OFFICE OF THE CLERK AND RECORDER OF CHAFFEE COUNTY, COLORADO AT \_\_\_\_\_ M. ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2024.

RECEPTION NO. \_\_\_\_\_

CHAFFEE COUNTY CLERK & RECORDER

Revisions and Additions: 6/14/24 M.K.H.

BONDURANT MINOR SUBDIVISION	
for LOTS 13-18, BLOCK 168, KELSEY'S ADDITION to the CITY of SALIDA	
CHAFFEE COUNTY	COLORADO
Job Number: J-24-063	HENDERSON LAND SURVEYING CO., INC.
TPC FILE: J-23-159	203 G STREET
B.S.H.	SALIDA, COLORADO
DRAWN BY: TMO CAD	DATE: 4/22/24
CHECKED: M.K.H.	DRAWING NO. L-24-17
Field Book: 5102 Pages 76 & 77-5330 Pages 60 & 61	



**Right of Way & Permits**

1123 West 3<sup>rd</sup> Avenue  
Denver, Colorado 80223  
Telephone: **303.571.3306**  
Facsimile: 303.571.3284  
donna.l.george@xcelenergy.com

June 3, 2024

City of Salida  
448 East First Street, Suite 112  
Salida, CO 81201

Attn: Glen Van Nimwegen

**Re: Bondurant Minor Subdivision**

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has determined there is a **conflict** with **Bondurant Minor Subdivision**. Please be aware PSCo owns and operates existing overhead electric service facilities to the house from the alley, which will be in trespass with the new lot line between new Lots 1 and 3.

Either an easement will need to be acquired within Lot 3, or the electric line must be relocated.

For an express PSCo easement document that will need to be acquired prior to the minor subdivision, the property owner/developer/contractor must contact Tim Butler (Right of Way Agent at Timothy.A.Butler@xcelenergy.com).

If the electric line will be relocated, the property owner/developer/contractor must complete the application process via [xcelenergy.com/InstallAndConnect](https://xcelenergy.com/InstallAndConnect). It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details.

As a safety precaution, PSCo would like to remind the developer to contact Colorado 811 for utility locates prior to construction.

Donna George  
Right of Way and Permits  
Public Service Company of Colorado dba Xcel Energy  
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com