



CITY COUNCIL ACTION FORM

DEPARTMENT	PRESENTED BY	DATE
Planning	Kristi Jefferson - Senior Planner	May 17, 2022

ITEM

Ordinance 2022-08: Second Reading and Public Hearing on the proposed Green Heart Major Impact Review application for a Planned Development Overlay at their property located at 535 West Seventh Street.

BACKGROUND

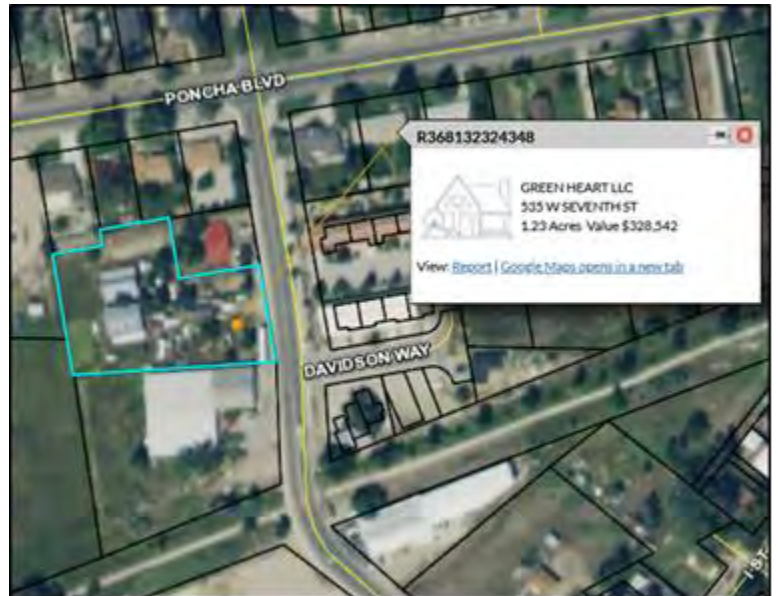
The applicant, Green Heart LLC, represented by Andy Riemenschneider, submitted a Major Impact Review application for a Planned Development Overlay and Minor Subdivision of their 1.23 acre parcel located at 535 West Seventh Street. The property is zoned Single-Family Residential (R-1) and is currently a vacant parcel.

The requests are:

A. Approval of a Planned Development Overlay to allow for a private drive to serve as access for the proposed subdivision and for two lots to have zero public street frontage but oriented off of the private drive. The request also includes approval to apply the Medium Density Residential (R-2) zone district dimensional standards for the two lots fronting Seventh Street. All other dimensional standards are anticipated to be met.

B. Approval of a Minor Subdivision to subdivide the above described 1.23 acre property into 4 residential lots.

A Conceptual Review Meeting with the Planning Commission and City Council occurred on November 15, 2021.





CITY COUNCIL ACTION FORM

DEPARTMENT	PRESENTED BY	DATE
Planning	Kristi Jefferson - Senior Planner	May 17, 2022

The Planning Commission reviewed the Major Impact Review and Minor Subdivision applications and held a public hearing on March 28, 2022.

The properties surrounding this parcel are located within the Single-Family Residential (R-1), Medium-Density Residential (R-2), Industrial (I) and Commercial (C-1) zone districts.

The applicant is requesting approval of a Planned Development Overlay to allow a private road to serve as access for the proposed minor subdivision. The request is also to apply the Medium Density Residential (R-2) zone district dimensional standards for Lots 3 and 4 that front Seventh Street. All other dimensional standards are anticipated to be met.

The private road is shown on the plat as an out-lot. This is not considered an “out-lot” but a private road so the plat will need to be updated to remove “out-lot” and have the private road named.

Since this property is within the (R-1) zone district, the applicant is currently restricted to 1 single-family residence. The applicant could subdivide the parcel in half and meet all of the (R-1) zone district standards with 2 single family residences but, with the size of the parcel, they would like to have 2 additional lots for local families to be able to build on and live here.





CITY COUNCIL ACTION FORM

DEPARTMENT	PRESENTED BY	DATE
Planning	Kristi Jefferson - Senior Planner	May 17, 2022

A. PROPOSED PLANNED DEVELOPMENT

A Planned Development is an overlay which allows flexibility in the underlying zoning district standards to "...permit the application of more innovative site planning and design concepts than may be possible under the application of standard zone districts."

The applicant is requesting Planned Development approval to allow 4 residential lots with two of the lots (Lots 1 and 2) having zero public street frontage but oriented off of a private drive. The other deviation request is for approval to apply the Medium Density Residential (R-2) zone district dimensional standards for the two proposed lots (Lots 3 and 4) fronting Seventh Street. All other dimensional standards are anticipated to be met.

THE CITY OF SALIDA COMPREHENSIVE PLAN

Per Section 16-7-20 of the Salida Municipal Code, a planned development constitutes a zoning classification and is established by overlaying the designation upon land within an existing or newly created zone district. The

Comprehensive Plan Land Use Map shows the Green Heart LLC property as Single Family Residential.

Generally zoning should be consistent with the community's comprehensive plan. The following Policies, Actions and Principles are most applicable to the proposal:

Policy LU&G-I.2: Infill and redevelopment should be encouraged and will advance the objectives of this plan.

The 1.23 acre property is vacant. There are existing utilities within West Seventh Street to serve the property. Approval would offer greater opportunity for infill than just 1 or 2 units.





CITY COUNCIL ACTION FORM

DEPARTMENT	PRESENTED BY	DATE
Planning	Kristi Jefferson - Senior Planner	May 17, 2022

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

The applicant is requesting changes to the underlying dimensional standards in order to increase the residential density. Allowed density not being exceeded, but allows for additional lots.

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

The site is within the MSA.

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

The majority of housing types in this specific area are single-family, along with multi-family condominiums across the street. The applicant has stated that lots 1 and 2 will be developed with single-family residential units and lots 3 and 4 have the potential of up to two residential units on each lot which will allow a mix of housing types and would likely provide housing for the "missing middle".

PLANNED DEVELOPMENT EVALUATION CRITERIA:

Section 16-7-40 (b) of the City of Salida Land Use and Development Code states "the PD Development Plan shall meet the following criteria...unless the applicant can demonstrate that one or more of them is not applicable or that another practical solution has been otherwise achieved." The applicant's requests and staff's comments are listed below.

1. Minimum dimensional standards. In addition to the request to eliminate the public street frontage requirement, the applicant is also requesting to apply the Medium Density Residential (R-2) zone district dimensional standards (shown below) for the two proposed lots that front Seventh Street.
 - The requested deviations will not impact the property's ability to provide adequate access and fire protection, to ensure proper ventilation, light and air between buildings and should be compatible with other developments in the area.



CITY COUNCIL ACTION FORM

DEPARTMENT Planning	PRESENTED BY Kristi Jefferson - Senior Planner	DATE May 17, 2022
-------------------------------	--	-----------------------------

2. Trails. The closest trail near this property is the Monarch Spur Trail. There are existing sidewalks along Seventh Street that provides connection to the trail.

3. Ownership and Maintenance. The development will have a homeowners association to maintain the private drive and the rear access drive.

4. Water and Sewer. The developer shall provide municipal water and sewer facilities within the PD as required by the City.

Table 16-F Schedule of Dimensional Standards			Lots 1 and 2	Lots 3 and 4
Dimensional Standards	(R-1) REQUIREMENTS	(R-2) REQUIREMENTS	Proposed REQUIREMENTS	Proposed REQUIREMENTS
Min. lot size (sq. ft.)	7,500	5,625	7,500	5,625
Density (Min. lot sq. footage per principal dwelling unit)	3,750	3,125	3,750	3,125
Min lot size (sq. ft.)—attached units	NA	3,125	NA	3,125
Min. lot frontage	50'	37'6"	Fronting Private Road	37'6"
Min. lot frontage—attached units	NA	20'	NA	20'
Max. lot coverage: structures (additive coverage total for structures and uncovered parking cannot exceed 90% except in C-2)	35%	40%	35%	40%
Max. lot coverage: uncovered parking/access (additive coverage total for structures and uncovered parking cannot exceed 90% except in C-2) 5	10%	15%	10%	15%
Min. landscape area	55%	45%	55%	45%
Min. setback from side lot line for a primary bldg.	8'	5'	8'	5'
Min. setback from side lot line for a detached accessory bldg.	3', 5' or 10'	3', 5' or 10'	3', 5' or 10'	3', 5' or 10'
Min. setback from rear lot line: principal bldg.	30'	20'	30'	20'
Min. setback from rear lot line: accessory bldg.	5'	5'	5'	20'
Min. setback from front lot line; principal bldg.	30'	20'	30' for Lot 1 40' for Lot 2	20'
Max. building height for a primary bldg.	35'	35'	35'	35'
Max. building height for a detached accessory bldg.	25'	25'	25'	25'

- The applicant has provided improvement plans that include designs for sewer and water services to serve the interior of the site. The plans have been reviewed by the Public Works Department and the City Engineers JVA their comments are included at the end of this section and attached to the staff report.

5. Residential Density. The allowable density for Lots 1 and 2, given the R-1 zoning, is 2 residential units. The allowable density for Lots 3 and 4 is 4 residential units if the PD is approved. The building setbacks are shown on the subdivision plat and the units will be spaced in conformance with standard setback requirements, adequate privacy is provided. This criterion is satisfied.



CITY COUNCIL ACTION FORM

DEPARTMENT	PRESENTED BY	DATE
Planning	Kristi Jefferson - Senior Planner	May 17, 2022

- The applicant is only requesting an increase in density for Lots 3 and 4 and the proposed density is compatible with the surrounding neighborhood. Because of the 20' rear access easement the applicant may restrict these two lots to single-family. One ADU would be allowed on any lot, consistent with code.
6. Relationship to the Subdivision Regulations. The provisions of these regulations concerning a Planned Development will not eliminate or replace the requirements applicable to the subdivision of land or air space, as defined in state statutes and the ordinances and regulations of the City. The applicant submitted a 4 lot minor subdivision to be review concurrent with this planned development application. This criterion is satisfied.
7. Improvement Standards. The PD may deviate from the Design Standards described in Article VIII of this Chapter, including specifications for the width and surfacing of streets, public ways, public utility rights-of-way, curbs and other standards, only if the reasons for such deviations are well documented and are necessary for realizing the purposes described in the objectives of development.
- The only deviation the applicant is requesting from in Article VIII is to be allowed a private road to meet the lot frontage requirement and to provide access for all of the lots created with the minor subdivision.
8. Maximum height. The applicant is not requesting a deviation to maximum height standards. This criterion is not applicable.
9. Gross Building Floor Area. There are no uses proposed other than residential. This criterion is not applicable.
10. Permitted Uses. The proposed residential use is a use by right within the existing zone district. The applicant is not requesting deviations within the R-1 zone district Table 16-D Schedule of Uses. The size of the development site is not large enough to justify the requirement of any other uses such as commercial, recreational, or educational amenities.
11. Transportation design. The development provides direct access to West Seventh Street, a collector street, which is designed to support the anticipated additional traffic generated by the proposed number of units. The Fire and Public Works Departments have no concerns regarding



CITY COUNCIL ACTION FORM

DEPARTMENT	PRESENTED BY	DATE
Planning	Kristi Jefferson - Senior Planner	May 17, 2022

the private road. The development also provides safe and adequate pedestrian access from the development to nearby trails and schools. This criterion is satisfied.

12. Development Standards. As mentioned above, the applicant is requesting deviation from the requirement to have frontage for all lots onto a public street and is proposing to have 2 lots with frontage from the proposed private road and access for all lots from the private road.
13. Energy Efficient Design. The construction of new buildings will be required to meet the energy standards of the building codes.
14. Variety in Housing Types. The applicant is proposing a minor subdivision of 4 lots and will be constructing a single-family residence on Lot 1 and on Lot 2. Lots 3 and 4 have the potential to have up to two units constructed on each lot so there should be a variety of housing in this planned development.
15. Fiscal Impacts. The private drive and utilities are to be maintained by the homeowners association. The City will provide police and fire protection and serve the project with water and sewer through public mains. Water and sewer system development fees will help offset long term costs of expanding those systems. The fees for Fair Contributions for Public School Sites will be required per residential unit to help offset impacts on the school district, and open space fees will be required for each unit.
16. Higher levels of amenities. There are no private or public parks or recreational areas proposed within the planned development.
17. Physical Conditions or Constraints. The size of the lot, depth of the lot, existing private drive access, and the standard requirement for frontage on a public street are the primary physical conditions or constraints that would warrant a departure from the standard regulation requirements.
18. Adjacent and nearby developments. Staff has not found that there are any detrimental effects on the neighborhood as this property is across the street from several condominiums.
 - The applicant has stated that the property was purchased with the intent to build two single-family residences for their personal families as requested by the previous owner



CITY COUNCIL ACTION FORM

DEPARTMENT	PRESENTED BY	DATE
Planning	Kristi Jefferson - Senior Planner	May 17, 2022

of the lot. They are also wanting to provide the 2 lots fronting Seventh Street that locals could afford to build and live here.

EVALUATION STANDARDS FOR MINOR PLANNED DEVELOPMENTS

Section 16-7-40(d) states that “In addition to the above evaluation standards in Subsection (a) of this Section that apply to all PD applications, the following standards or requirements shall govern the application of a minor planned development and shall be utilized by the Planning Commission and the City Council in evaluating any minor PD plan:

- (1) Staging of Development. There shall be no staging of development in a minor PD. The applicant does not indicate any phasing of the development of infrastructure for this project.
- (2) Types of Uses. A minimum of 25% of the floor area of the project is recommended for non-residential, commercial uses.
 - The applicant is not proposing any non-residential uses, nor are any recommended given the property’s zone district and location.
- (3) Public Places. Public gathering places should be provided to reinforce community identity and support civic engagement.
 - There are no public gathering places proposed in the development, nor would one be warranted given the location of the development and proximity to Longfellow Elementary School and Thonhoff Park.
- (4) Economic Opportunity. The PD provides a unique economic opportunity or provides a service, industry, or housing type that will benefit the City and would not be possible under the existing zone districts or dimensional standards of the City.
 - Given the size of this parcel and the existing R-1 zoning it is challenging to have additional density because the standards for street frontage, and other requirements of the zone district. This PD will allow the applicant to create additional lots for up to 6 residential primary units on the 4 proposed lots. This would be done by eliminating the requirement for public street frontage, and



CITY COUNCIL ACTION FORM

DEPARTMENT	PRESENTED BY	DATE
Planning	Kristi Jefferson - Senior Planner	May 17, 2022

allowing access via a private road along with allowing the dimensional standards of the R-2 zone district for Lots 3 and 4.

- (5) Open Space: A Minor PD is not required to provide a dedication of open space on the site, however, it is required that any PD contribute to meeting the goals for open space through a negotiated fee-in-lieu of open space or other contribution.
- No open space is dedicated or required through this development. The applicant acknowledges that required open space fees-in-lieu will be paid at the time of building permit submittal for each residential unit.

B. MINOR SUBDIVISION PLAT REVIEW

A minor subdivision requires limited impact review but the subdivision could not be achieved without Planned Development Overlay approval so the applications will be reviewed concurrently as Major Impact Review as required in Land Use Code Sec. 16-7-30. The Planning Commission will make recommendations to City Council for the Planned Development and Minor Subdivision.

The applicant is requesting that the Planning Commission make a recommendation of approval of the 4-lot residential subdivision, along with a private road to be commonly-owned by the homeowners association. The residential lots vary in size and the applicant intends to construct single-family residences on Lots 1 and 2 meeting the R-1 zone district standards. The intent is for Lots 3 and 4 to meet the R-2 zone district standards, if the Planned Development Overlay is approved. The proposed subdivision must comply with the following standards:

1. Comprehensive Plan.

The proposed subdivision is consistent with the Comprehensive Plan, which promotes diverse residential housing and access to nearby trails and schools. Staff finds that the development is compatible with surrounding land uses and will not create unreasonable adverse effects on neighboring properties.

2. Zone District Standards.

The proposed subdivision and ultimate development of the lots will comply with the underlying R-1 zone district for Lots 1 and 2, with the exception of public street frontage. The applicants are requesting to apply the R-2 zone district dimensional standards for Lots 3 and 4 with the Planned



CITY COUNCIL ACTION FORM

DEPARTMENT	PRESENTED BY	DATE
Planning	Kristi Jefferson - Senior Planner	May 17, 2022

Development. Deviations to such standards have been requested through the concurrent Planned Development application.

3. Improvements.

The proposed subdivision shall be provided with improvements which comply with 16-2-60 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 adequate to carry anticipated traffic generated by future development of this subdivision.
 - The 25' private road is adequate for the proposed 4 lots. Lots 3 and 4 will not have access from Seventh Street. Both lots will be required to use the 20' private access easement at the rear of the lots as shown on the subdivision plat.
- b. Utilities. Existing and proposed utility services shall be suitable and adequate to meet the needs of the proposed subdivision.
 - Water and sewer are available in Seventh Street for Lots 3 and 4 and the applicant will install water and sewer lines in the private road to serve Lots 1 and 2.
- 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 site is relatively flat but has several trees. The applicant intends on saving as many of the trees as possible. Staff is unaware of any extraordinary natural features on the site.

5. Floodplains.

This property does not reside in the floodplain. This standard does not apply.

6. Noise Reduction.

This property is does not border a highway. This standard does not apply.



CITY COUNCIL ACTION FORM

DEPARTMENT	PRESENTED BY	DATE
Planning	Kristi Jefferson - Senior Planner	May 17, 2022

7. Future Streets.

As discussed in the report for the PD, a future private road is planned off of Seventh Street. There is no need for a public street connection within this property. The proposed private drive will provide access to the property. All other required access and utility easements are provided through this development.

8. Parks, Trails and Open Space.

No public open space dedication is proposed nor desired within this development. The Monarch Spur Trail, Thonhoff Park and Longfellow Elementary School is very close to the subject property and public access to any open space would not be reasonable. The applicant (or future homeowners) will be required to pay a fee-in-lieu for open space at the time of building permit submittal for each unit constructed on the property.

9. Common Recreation Facilities.

This development does not include any common recreation facilities.

10. Lots and Blocks.

The size, shape, and orientation of the lots are appropriate to the design and location of proposed subdivision and type of development contemplated. This standard is met.

11. Architecture.

This standard applies to residential subdivisions of five lots or more.

12. Codes.

The subdivision will comply with all applicable City building, fire and safety codes for the proposed development.

13. Inclusionary Housing. Land Use Code Sec. 16-13-20 Minor and major subdivisions; and condominium plats of five (5) units or greater must meet the requirements of Article XIII.

- Approval of the minor subdivision carries the responsibility to meet the affordable housing requirements.



CITY COUNCIL ACTION FORM

DEPARTMENT	PRESENTED BY	DATE
Planning	Kristi Jefferson - Senior Planner	May 17, 2022

- The applicant has indicated that they intend to meet the Inclusionary Housing standards by paying the fees in lieu, staff recommends the following conditions of approval:
 - A plat note must be added that all new residential dwelling units constructed on the Property shall meet the inclusionary housing requirements of Chapter 16, Article XIII of the Salida Municipal Code. The applicants volunteer and agree to provide an in-lieu fee at the rate in effect prior to issuance of certificate of occupancy of any new residential dwelling units on any of the lots, unless an IH unit is provided.

RESPONSE FROM REFERRAL DEPARTMENTS AND AGENCIES:

- **Salida Fire Department:** Kathy Rohrich, Assistant Fire Chief responded “Fire has no concerns at this time. They may have to trim up those pine trees for the fire truck to make it through.”
- **Salida School District:** David Blackburn, Superintendent responded “I have no concerns. We will accept the fees in lieu of land.”
- **Salida Utilities:** Renee Thonhoff, Staff Accountant stated “Currently there are no water or sewer utilities on the property located at 535 W. Seventh Street. Upon development system development fees will need to be paid for all residences.”
- **Atmos Energy:** Dan Higgins responded: “There is gas service onto this lot so prior to demo the line will have to be retired. Any future development is subject to Atmos Energy main Extension Contract arrangements to be service by natural gas.”
- **Salida Public Works Department:** Public Works Director, David Lady, submitted the following comments: “I don’t have any comments to add. Technically Lots 1 and 2 do not front public right-of way but I understand you will be documenting that on your end. There is a driveway cut and utility services proposed per our standard details.”
- **JVA Engineering Consultants:** JVA Inc. has reviewed Green Heart Planned Development documents submitted through email dated April 28, 2022 for conformance with the City of Salida Code of Ordinances (Code), and City of Salida Design and Construction Standards. Upon review, we find that the revised submittal documents can proceed with planning commission recommendation for approval, and can proceed to second reading and public hearing of the ordinance. (JVA’s full review and comments are attached).



CITY COUNCIL ACTION FORM

DEPARTMENT	PRESENTED BY	DATE
Planning	Kristi Jefferson - Senior Planner	May 17, 2022

RECOMMENDED FINDINGS:

1. This application is consistent with the purposes and objectives of planned developments stated in Section 16-7-10 and because it meets the criteria of Section 16-7-40, with the conditions herein.
2. This application meets the requirements of a Major Impact Review and, with the conditions herein, meets the subdivision review standards of Section 16-6-120.

STAFF RECOMMENDATION

Based upon the criteria for a Planned Development and Minor Subdivision, consistency with the Salida Comprehensive Plan, and the outlined findings above, staff recommends approval of the Planned Development and Minor Subdivision requests with the following conditions:

Conditions for the Planned Development:

1. Applicant agrees to give a preference to current Chaffee County residents or workforce for Lots 3 and 4 on the Property, to the extent permitted by law. Such marketing and vetting shall be the Applicant's responsibility, with guidance provided by City staff and the Chaffee Housing Authority. The applicant will need to show a good faith effort to find local residents to purchase the property.
2. Access to all of the lots must be off of the private road. No access will be allowed off of Seventh Street for any of the lots.

Conditions for the Minor Subdivision:

1. A name for the private road be added to the plat and "out-lot" removed.
2. The applicant must meet the requirements of the Public Works Director and City Engineering Consultants
3. A plat note shall be added that states that "Fees-in-lieu for Open Space shall be paid at the time of building permit submittal of any residential units."



CITY COUNCIL ACTION FORM

DEPARTMENT	PRESENTED BY	DATE
Planning	Kristi Jefferson - Senior Planner	May 17, 2022

4. The following plat note must be added: "New residential dwelling units constructed on the Property shall meet the inclusionary housing requirements of Chapter 16, Article XIII of the Salida Municipal Code. The applicants volunteer and agree to provide an in-lieu fee at the rate in effect prior to issuance of certificate of occupancy of any new residential dwelling units on any of the lots, unless an IH unit is provided".
5. That the applicant meet the requirements of Atmos Energy.

PLANNING COMMISSION RECOMMENDATION

A public hearing with the Planning Commission was held March 28, 2022 and the Commission recommended Council approve the proposed Green Heart LLC Planned Development and Minor Subdivision with staffs recommended conditions and added condition number 5 that the applicant meet the requirements of Atmos Energy.

SUGGESTED MOTION

A council person should make the motion to "approve Ordinance 2022-08 approving the Green Heart Planned Development Overlay and Minor Subdivision and ordering the ordinance to be published by title only."

Attachments: Proof of publication

Ordinance 2022-08 and Exhibits A and B

Agency Review comments

Emails from neighbors

Green Heart LLC Planned Development and Minor Subdivision Application Materials

Civil Drawings dated April 5, 2022

**PUBLIC NOTICE
NOTICE OF PUBLIC HEARINGS BEFORE
THE CITY COUNCIL FOR
THE CITY OF SALIDA CONCERNING A
MAJOR IMPACT REVIEW APPLICATION
FOR A PLANNED DEVELOPMENT
OVERLAY AND MINOR SUBDIVISION
TO ALL MEMBERS OF THE PUBLIC
AND INTERESTED PERSONS: PLEASE**

TAKE NOTICE: that on May 17, 2022 at or about the hour of 6:00 p.m. a public hearing will be conducted by the City of Salida City Council at City Council Chambers, 448 East First Street, Suite 190, Salida, Colorado and online at the following link: <https://attendee.gotowebinar.com/register/6382995264411204366>

The applicant Green Heart LLC, represented by Andy Riemenschneider, is requesting the following for the property located in the Single-family Residential (R-1) zone district at 535 West Seventh Street:

1. Approval of a Planned Development Overlay to allow for a private drive to serve as access for the proposed subdivision and for two lots to have zero public street frontage but oriented off of the private drive. The request also includes approval to apply the Medium Density Residential (R-2) zone district dimensional standards for the two lots fronting Seventh Street. All other dimensional standards are anticipated to be met.
2. Approval of a Minor Subdivision to split the above described 1.23 acre property into 4 residential lots.

On March 28, 2022 the Planning Commission recommended approval of the Planned Development Overlay and Minor Subdivision subject to conditions. The recommendation shall be forwarded to the City Council for their review and public hearing. Interested persons are encouraged to attend the public hearings. Further information on the application may be obtained from the Community Development Department, (719) 530-2626 or kristi.jefferson@cityofsalida.com

*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 April 29, 2022

**CITY OF SALIDA, COLORADO
ORDINANCE NO. 08
SERIES OF 2022**

**AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF SALIDA,
COLORADO APPROVING THE GREEN HEART LLC MAJOR IMPACT REVIEW
FOR A PLANNED DEVELOPMENT OVERLAY AND MINOR SUBDIVISION OF THE
1.23 ACRE PARCEL LOCATED AT 535 WEST SEVENTH STREET**

WHEREAS, the City of Salida Planning Commission conducted a public hearing on the Major Impact Review Application request for a Planned Development Overlay and Minor Subdivision for the property located at 535 West Seventh Street on March 28, 2022 and forwarded to the City Council its recommendation that the subject property be approved, with conditions, as a Planned Development Overlay pursuant to the attached Green Heart Planned Development Plat (Exhibit A); and

WHEREAS, the City of Salida Planning Commission reviewed and recommended approval, with conditions, the Green Heart Minor Subdivision a four-lot subdivision within the planned development overlay, illustrated on Exhibit B; and

WHEREAS, the project is consistent with the purpose, conditions and evaluation standards for planned development districts; and

WHEREAS, the proposal for the subject property is consistent with the policies and goals of the City's land use regulations and Comprehensive Plan, and will advance the public interest and welfare; and

WHEREAS, after the positive recommendation was forwarded to the City Council, a public hearing was held by the Salida City Council on May 17, 2022.

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

Section One

That the entirety of the property comprising the Green Heart Planned Development, to wit, the 1.23 acres is hereby zoned Single-Family Residential (R-1) with a Planned Development Overlay as shown on the Green Heart LLC Planned Development plat and Minor Subdivision attached to this ordinance as Exhibit A and Exhibit B.

Section Two

Upon this approval by the City Council, the Green Heart LLC Planned Development Overlay shall be considered a site specific development plan and granted a vested property right. The City Council is approving the vested property right subject to the terms and conditions contained in the development plan and this ordinance and failure to abide by such terms and conditions may, at the option of the City Council, after a public hearing, result in the forfeiture of vested property rights.

Section Three

Upon this approval by the City Council, the applicant shall submit a final Mylar of Exhibit A and Exhibit B; and incorporating the following conditions of approval for the Mayor's signature and recordation.

Conditions for the Planned Development:

1. Applicant agrees to give a preference to current Chaffee County residents or workforce for Lots 3 and 4 on the Property, to the extent permitted by law. Such marketing and vetting shall be the Applicant's responsibility, with guidance provided by City staff and the Chaffee Housing Authority. The applicant will need to show a good faith effort to find local residents to purchase the property.
2. Access to all of the lots must be off of the private road. No access will be allowed off of Seventh Street for any of the lots.

Conditions for the Minor Subdivision:

1. A name for the private road be added to the plat and "out-lot" removed.
2. The applicant must meet the requirements of the Public Works Director and City Engineering Consultants
3. A plat note shall be added that states that "Fees-in-lieu for Open Space shall be paid at the time of building permit submittal of any residential units."
4. The following plat note must be added: "New residential dwelling units constructed on the Property shall meet the inclusionary housing requirements of Chapter 16, Article XIII of the Salida Municipal Code. The applicants volunteer and agree to provide an in-lieu fee at the rate in effect prior to issuance of certificate of occupancy of any new residential dwelling units on any of the lots, unless an IH unit is provided".
5. That the applicant meet the requirements of Atmos Energy.

Section Four

The City Clerk is hereby directed to undertake the following actions upon the adoption of this Ordinance:

1. Publish this Ordinance in a newspaper of general circulation in the City of Salida.
2. Following recording of the Mylar, the Clerk shall promptly amend the official city zoning district map to incorporate and reflect the planned development overlay of the subject property.

Section Five

This Ordinance shall not have any effect on existing litigation and shall not operate as an abatement of any action or proceeding now pending under or by virtue of any ordinance repealed or amended as herein provided, and the same shall be construed and concluded under such prior ordinances.

Section Six

The provisions of this Ordinance are severable and the invalidity of any section, phrase, clause or portion of the Ordinance as determined by a court of competent jurisdiction shall not affect the validity or effectiveness of the remainder of the Ordinance.

INTRODUCED ON FIRST READING, on May 3, 2022, ADOPTED and set for second reading and public hearing on the 17th day of May, 2022.

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 _____, 2022, and **BY TITLE ONLY**, after final adoption on the _____ day of _____, 2022.

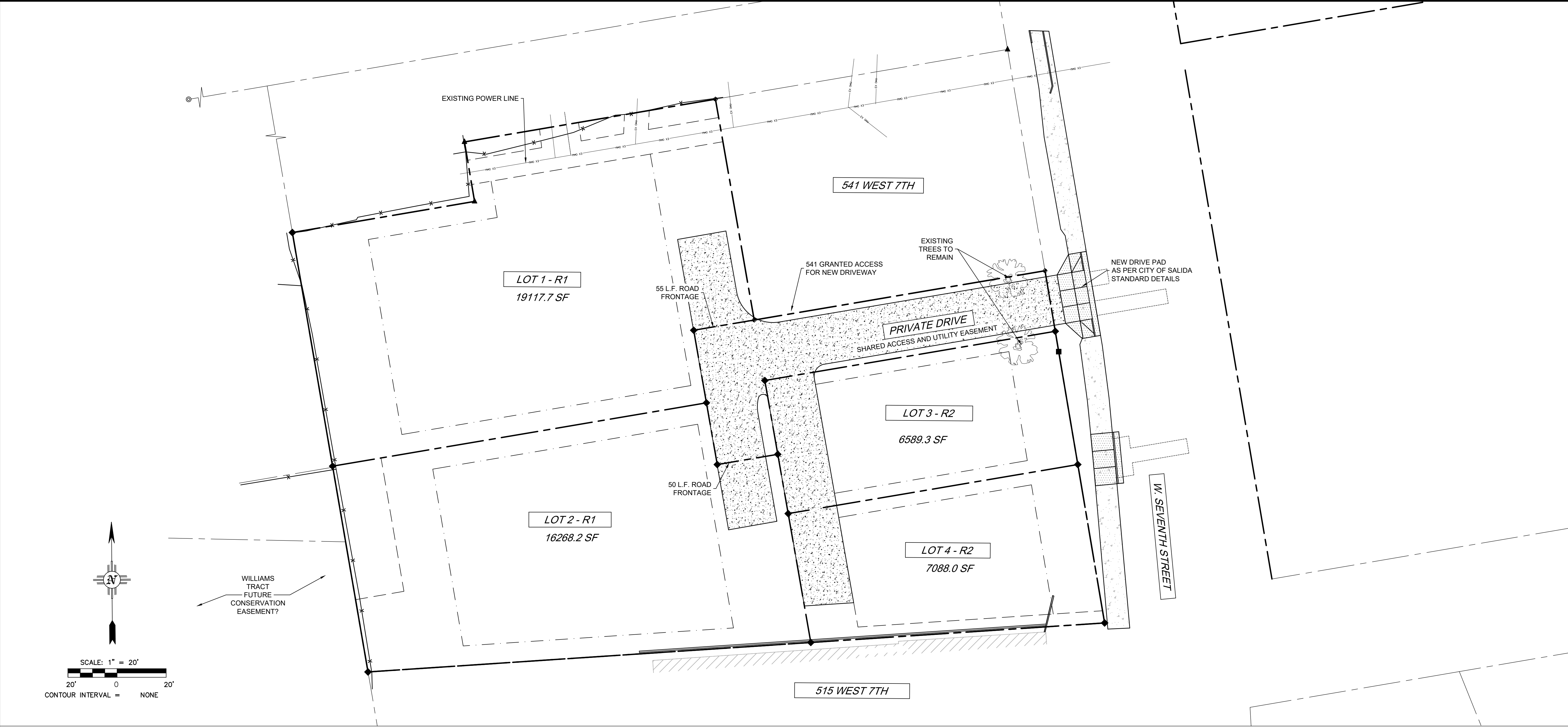
City Clerk/Deputy City Clerk

GREEN HEART PLANNED DEVELOPMENT (PD)
SALIDA, COLORADO

SHEET NO.

D1

DRAFT - 4/27/22



LEGEND

- PROPOSED PROPERTY LINE
- SETBACK
- EASEMENT

GREEN HEART - PLANNED DEVELOPMENT SUMMARY

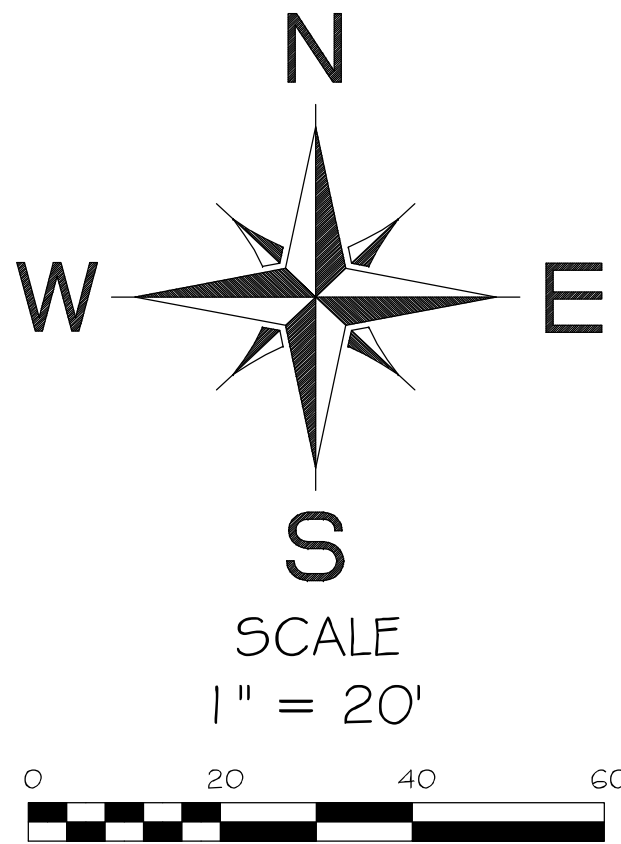
TOTAL LOT AREA 1.13 ACRES
TOTAL LOT AREA 49063.2 SQ. FT.
ZONING R1 LOW DENSITY RESIDENTIAL
NUMBER OF LOTS 4

LOT SUMMARY	PROPOSED USE	ZONING	LOT AREA ACRES	LOT AREA SF
LOT 1	SINGLE FAMILY	R1	0.44	19117.7
LOT 2	SINGLE FAMILY	R1	0.37	16268.2
LOT 3	SINGLE FAMILY	R2	0.15	6589.3
LOT 4	SINGLE FAMILY	R2	0.16	7088

SCHEDULE OF DIMENSIONAL STANDARDS

Dimensional Standard	R-1	R-2	PD R-1	PD R-2
Min. lot size (sq. ft.)	7,500	5,625	7,500	5,625
Density (Min. lot sq. footage per principal dwelling unit)	3,750	3,125	3,750	3,125
Min lot size (sq. ft.)—attached units	N/A	3,125	N/A	3,125
Min. lot frontage	50'	37'-6"	NOTE 1.	37'-6"
Min. lot frontage—attached units	N/A	20'	N/A	20'
Max. lot coverage: structures (additive coverage total for structures and uncovered parking cannot exceed 90% except in C-2)	35%	40%	35%	40%
Max. lot coverage: uncovered parking/access (additive coverage total for structures and uncovered parking cannot exceed 90% except in C-2)	10%	15%	10%	15%
Min. landscape area	55%	45%	55%	45%
Min. setback from side lot line for a primary bldg.	8'	5'	8'	5'
Min. setback from side lot line for a detached accessory bldg.	3', 5', or 10' +	3', 5', or 10' +	3', 5', or 10' +	3', 5', or 10' +
Min. setback from rear lot line: principal bldg.	30'	20'	NOTE 2.	20'
Min. setback from rear lot line: accessory bldg.	5'	5'	5'	NOTE 3.
Min. setback from front lot line +	30'	20'	30'	20'
Max. building height for a primary bldg.	35'	35'	35'	35'
Max. building height for a detached accessory bldg.	25'	25'	25'	25'

- Notes:
1. MINIMUM LOT FRONTAGE IS TO BE MEASURED AT THE PRIVATE R.O.W. (OUTLOT) FOR LOTS 1 AND 2
 2. REAR SETBACK FOR LOT 2 IS 40'
 3. REAR SETBACK TO BE 20' FOR BOTH PRINCIPAL AND ACCESSORY BUILDINGS



ACKNOWLEDGMENT OF LIEN HOLDER

HIGH COUNTRY BANK, AS LIEN HOLDER, HEREBY ACKNOWLEDGES AND APPROVES THE TERMS, CONDITIONS AND DEDICATION AS DISCLOSED UPON THIS PLAT.

REPRESENTATIVE _____ DATE _____

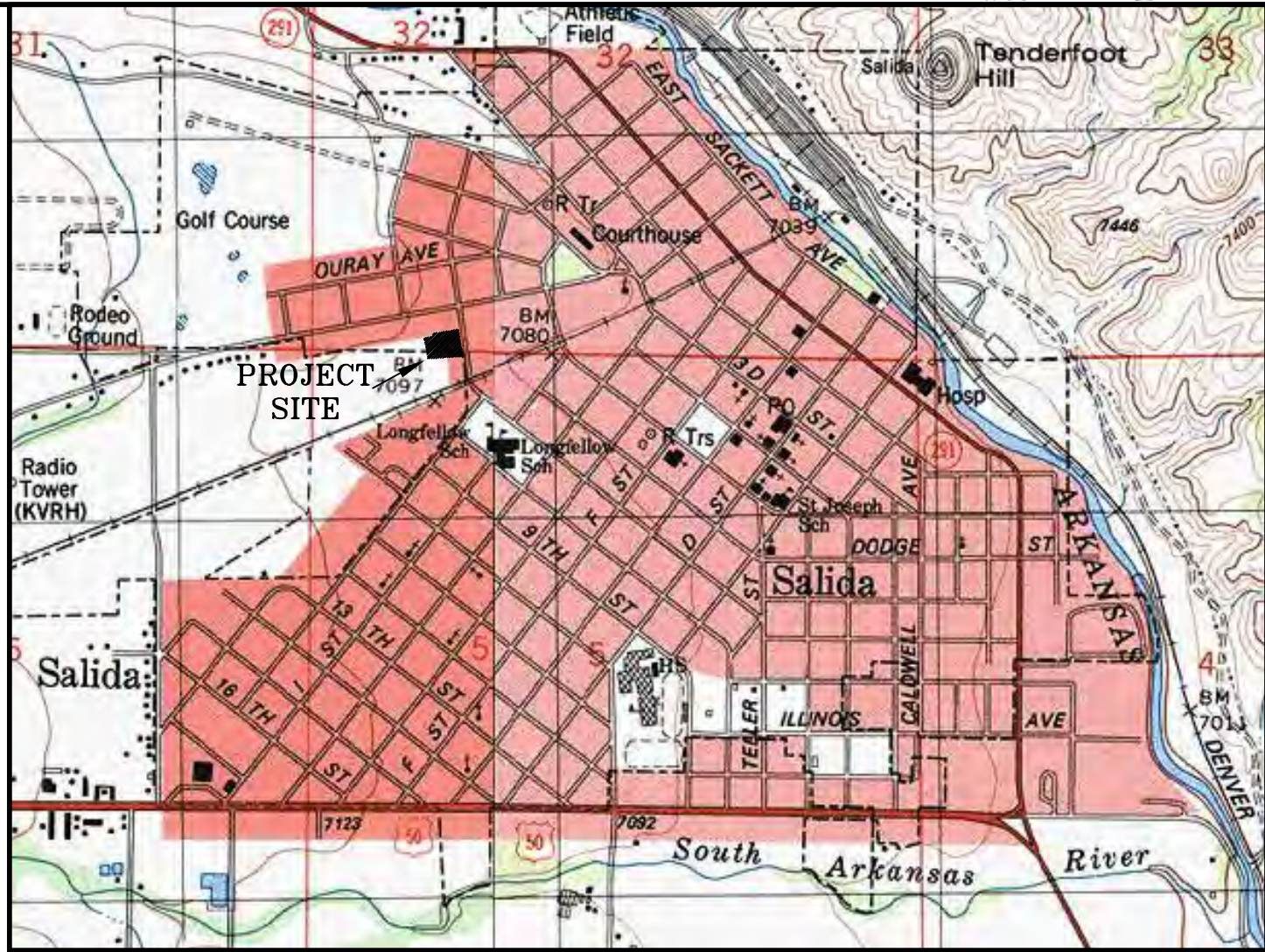
COUNTY OF _____)
STATE OF _____) S.S.

THE FORGOING ACKNOWLEDGMENT OF LIEN HOLDER WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 2022, BY _____, WITNESS MY HAND AND SEAL.

MY COMMISSION EXPIRES _____.

NOTARY PUBLIC _____

GREEN HEART MINOR
SUBDIVISION
A SUBDIVISION OF PARCEL A
GREEN HEART BOUNDARY LINE ADJUSTMENT
CITY OF SALIDA
CHAFFEE COUNTY, COLORADO



VICINITY MAP
NOT TO SCALE

LEGEND

- FOUND MONUMENT AS NOTED
- ◆ SET 1 1/2" ALUMINUM CAP LS 37937
- ◆ PREVIOUSLY SET 1 1/2" ALUMINUM CAP LS 37937
- FOUND 1 1/2" ALUMINUM CAP LS 487
- ▲ FOUND #5 REBAR
- POWER POLE
- X — FENCE
- O — OVERHEAD UTILITY
- CONCRETE

CERTIFICATION OF TITLE

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

DATED THIS ____ DAY OF _____, 2022.

TITLE AGENT _____

GENERAL NOTES

- 1) BASIS OF BEARING FOR THIS SURVEY IS GRID NORTH FROM COLORADO STATE PLANE COORDINATE SYSTEM CENTRAL ZONE, BASED ON G.P.S. OBSERVATIONS ALONG THE WESTERN RIGHT-OF-WAY OF SEVENTH STREET BETWEEN TWO 1 1/2" ALUMINUM CAPS STAMPED "LS 37937" HAVING A BEARING OF SOUTH 09°36'39" EAST.
- 2) ZONE: SINGLE-FAMILY RESIDENTIAL (R-1)
- 3) AS REQUIRED UNDER SECTION 116.6, 140 OF THE SALIDA MUNICIPAL CODE, A PAYMENT IN LIEU OF LAND DEDICATION FOR FAIR CONTRIBUTIONS FOR PUBLIC SCHOOL SITES SHALL BE PAID BY THE OWNER OF EACH LOT WITHIN THIS SUBDIVISION PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR ANY NEW RESIDENCE ON SUCH LOT
- 4) THIS SURVEY WAS PERFORMED IN CONJUNCTION WITH WESTCOR LAND TITLE INSURANCE COMPANY (CENTRAL COLORADO TITLE & ESCROW), COMMITMENT NO. 21-15582, DATED JULY 23, 2021.

PLANNING COMMISSION APPROVAL

THIS PLAT IS APPROVED BY THE CITY OF SALIDA PLANNING COMMISSION THIS ____ DAY OF _____, 2019.

CHAIR OF PLANNING COMMISSION, CITY OF SALIDA

CLERK AND RECORDER'S CERTIFICATE

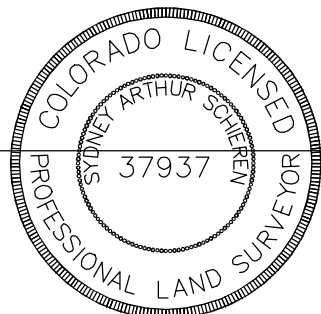
THIS PLAT WAS FILED IN THE OFFICE OF THE CLERK AND RECORDER OF CHAFFEE COUNTY, COLORADO, AT _____ M. ON THIS ____ DAY OF _____, 2022 UNDER RECEPTION NUMBER _____.

CHAFFEE COUNTY CLERK AND RECORDER

LAND SURVEYOR'S CERTIFICATE

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

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



CERTIFICATE OF DEDICATION AND OWNERSHIP

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

PARCEL A
GREEN HEART BOUNDARY LINE ADJUSTMENT
CITY OF SALIDA
CHAFFEE COUNTY, COLORADO

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

GREEN HEART MINOR SUBDIVISION
IN THE
CITY OF SALIDA
CHAFFEE COUNTY, COLORADO

SUBJECT TO 20' PEDESTRIAN EASEMENT, 20' WIDE ACCESS EASEMENT, 5' WIDE BUILDING MAINTENANCE EASEMENT AND A 10' WIDE OVERHEAD UTILITY EASEMENT.

IN WITNESS WHEREOF THE UNDERSIGNED HAS CAUSED THESE PRESENTS TO BE EXECUTED THIS ____ DAY OF _____, 2022

BY: GREEN HEART, LLC (REPRESENTATIVE)

COUNTY OF CHAFFEE)
STATE OF COLORADO) S.S.

THE FORGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 2022, BY _____ GREEN HEART, LLC REPRESENTATIVE. WITNESS MY HAND AND SEAL.

MY COMMISSION EXPIRES _____

NOTARY PUBLIC _____

REVISED: MARCH 31, 2022
APRIL 1, 2022
JOB # 21137
DATE: JANUARY 17, 2022
SHEET 1 OF 1

GREEN HEART MINOR
SUBDIVISION

A SUBDIVISION OF PARCEL A
GREEN HEART BOUNDARY LINE ADJUSTMENT
CITY OF SALIDA
CHAFFEE COUNTY, COLORADO



From: [DavidL](#)
To: [Kristi Jefferson](#)
Cc: [Bill Almquist](#)
Subject: Re: Green Heart PD and Subdivision
Date: Friday, March 18, 2022 11:38:38 AM

Not needed for anything on my end.

David Lady P.E.
City of Salida
Director of Public Works
719-539-6257

On Mar 18, 2022, at 11:06 AM, Kristi Jefferson
<kristi.jefferson@cityofsalida.com> wrote:

David,

Is a SIA required since the owners of the above property are not required any public improvements? Also, are they required to pave the private drive or can that be gravel?

Kristi Jefferson
Senior Planner
City of Salida
448 East First Street
Suite 112
Salida, CO 81201
ph: 719-530-2626
fax: 719-539-5271
<image001.png>

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: [David Lady](#)
To: ["Kristi Jefferson"](#)
Subject: RE: 535 W. 7th - PD & Minor Subdivision
Date: Tuesday, March 01, 2022 11:30:39 AM
Attachments: [image001.png](#)

I don't have any comments to add.

Technically Lots 1 and 2 do not front public right-of-way but I understand you will be documenting that on your end. There is a driveway cut and utility services proposed per our standard details.

David Lady, P.E., Director of Public Works
340 W. Hwy 291
Salida, CO 81201
719-539-6257
david.lady@cityofsalida.com

From: Kristi Jefferson [mailto:kristi.jefferson@cityofsalida.com]
Sent: Tuesday, March 1, 2022 10:40 AM
To: 'David Lady' <david.lady@cityofsalida.com>; 'Doug Bess' <doug.bess@cityofsalida.com>; 'Kathy Rohrich' <kathy.rohrich@cityofsalida.com>; 'Mark G. Rocheleau' <mrocheleau@jvajva.com>; 'Renee Thonhoff' <renee.thonhoff@cityofsalida.com>
Cc: 'Waugh, Sterling S' <Sterling.S.Waugh@xcelenergy.com>; Daniel.higgins@atmosenergy.com; Mark.Cristelli@atmosenergy.com; DBlackburn@salidaschools.org
Subject: 535 W. 7th - PD & Minor Subdivision

Attached is the agency review for the Green Heart Planned Development and Minor Subdivision applications. Please let me know if you have any concerns with the PD or Subdivision requests.

Kristi Jefferson
Senior Planner
City of Salida
448 East First Street
Suite 112
Salida, CO 81201
ph: 719-530-2626
fax: 719-539-5271



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: [Kathy Rohrich](#)
To: [Renee Thonhoff](#)
Cc: [Kristi Jefferson](#); [David Lady](#); [Doug Bess](#); [Mark G. Rocheleau](#); [Waugh, Sterling S](#); [Higgins, Dan W](#); [Mark.Cristelli@atmosenergy.com](#); [David Blackburn](#)
Subject: Re: 535 W. 7th - PD & Minor Subdivision
Date: Friday, March 04, 2022 9:17:13 AM
Attachments: [image003.png](#)

Kristi,

Fire has no concerns at this time. They may have to trim up those pine trees for the fire truck to make it through. Thank you!

Kathy

On Thu, Mar 3, 2022 at 8:55 AM Renee Thonhoff <renee.thonhoff@cityofsalida.com> wrote:

Kristi,

Currently there are no water or sewer utilities on the property located at 535 West Seventh Street. Upon development system development fees will need to be paid for all residences.

Thank you,

Renee

Renee M. Thonhoff M.B.A.
Staff Accountant
City of Salida
448 East First Street, Suite 112
Salida , Colorado 81201
719.530.2622 phone
719.539.5271 fax
Renee.Thonhoff@cityofsalida.com

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 Tue, Mar 1, 2022 at 10:40 AM Kristi Jefferson <kristi.jefferson@cityofsalida.com>

From: [Russ Johnson](#)
To: [Kristi Jefferson](#)
Subject: RE: 535 W. 7th - PD & Minor Subdivision
Date: Monday, March 28, 2022 3:15:56 PM
Attachments: [image001.png](#)
[image002.png](#)

At this time PD has no issues. We did add another speed sign in the area in 2021 and will not be adding any additional signs. We do have a new speed trailer that we will be utilizing in the area.

Thanks,

Chief Russell Johnson
Salida Police Department

Cell:719-207-1602
Desk: 719-530-2603
Main:719-539-6880



From: Kristi Jefferson <kristi.jefferson@cityofsalida.com>
Sent: Friday, March 18, 2022 10:48 AM
To: Russ Johnson <rjohnson@salidapolice.com>
Subject: 535 W. 7th - PD & Minor Subdivision

Russ,

I thought I had sent this agency review to you for the Green Heart Planned Development and Minor Subdivision but I see that I didn't. The owners of 535 West Seventh Street are applying for a planned development and minor subdivision to create 4 lots on the 1.23 acre parcel. All lots will be required to access off of the private drive and not from Seventh Street. I received a call from a neighbor who wanted me to request that the Police Department add another speed limit sign near this development so I told her that I would mention it to you.

Let me know if you have any concerns with the 4 lot development.

Thank you,

Kristi Jefferson

Andy Riemenschneider
Green Heart LLC
PO Box 194
Salida, CO 81201

Kristi Jefferson
City of Salida Community Development Department
448 E. First Street, Suite 112
Salida, CO 81201

April 28, 2022

Kristi,

Enclosed is a revised engineering package addressing the comments provided by JVA, dated April 15, 2022. I am also providing the JVA comments below and our response to each in *italics*:

- 1) We assume that all other reviewing agencies have had opportunity to comment and any required changes to the plans that come from these comments will be made. *It is our understanding that all agencies have completed their reviews.*
- 2) Provide confirmation that Fire Department accepts emergency vehicle access. *Kathy Rohrich, Fire Plan Review responded "Fire has no concerns at this time. They may have to trim up those pine trees for the fire truck to make it through."*
- 3) Prior to second reading and public hearing of ordinance, the following comments will be required to be addressed /clarified
 - a) GRADING AND DRAINAGE PLAN
 - i) Provide erosion control plan information. *An erosion control plan and details have been added to the plan set. See sheet C3.*
 - ii) Obtain construction easement or written property owner permission for work on adjacent properties. *Verbal permission was obtained from 515 West 7th to work together to improve the drainage on both parcels. Written permission can be obtained as required prior to construction.*
 - b) STANDARD DETAILS
 - i) Provide aggregate base course paving detail. *Paving details have been added to sheet C1*
 - ii) Provide sewer service tap. *A sewer tap detail has been added to sheet C5*
- 4) Provide information to demo any existing utility connections per City of Salida Standard Specifications for Construction. *An applicable note has been added to sheet C4*
- 5) Provide applicable Geotechnical report for potential additional engineering review comments. *As of this time, a geotechnical report is not available for this parcel.*
- 6) Applicant should provide responses to comments to accompany future submittals. *Yes, no problem*
- 7) Applicant may be subject to additional comments upon future review of future submittals. *We understand.*

Thank you,



Andy Riemenschneider

From: [Mark G. Rocheleau](#)
To: [Kristi Jefferson](#)
Cc: [Kevin E. Vecchiarelli](#)
Subject: RE: Green Heart PD revised engineering
Date: Tuesday, May 3, 2022 8:58:02 AM
Attachments: [image002.png](#)
[image003.png](#)
[Green Heart Planned Development - JVA Comments 03 - 2022-05-03.pdf](#)

Good Morning Kristi,

Upon review of the provided comments, the development team has addressed our comments, and the plan set looks ready to proceed for PC and Second Reading.

Let me know how this looks, otherwise it is free to be sent back to the engineer as there are some informational comments.

Thanks,



MARK G. ROCHELEAU, P.E., CFM | Senior Project Engineer
he/him/his

JVA, Incorporated
1319 Spruce Street, Boulder, CO 80302
Direct: [303.565.4886](tel:303.565.4886) | Mobile: [720.689.4827](tel:720.689.4827) | Office: 303.444.1951
www.jvajva.com | [LinkedIn](#) | [Twitter](#)

Boulder | Fort Collins | Winter Park | Glenwood Springs | Denver

From: Kristi Jefferson <kristi.jefferson@cityofsalida.com>
Sent: Thursday, April 28, 2022 8:37 AM
To: Mark G. Rocheleau <mrocheleau@jvajva.com>; Kevin E. Vecchiarelli <kvecchiarelli@jvajva.com>
Subject: Green Heart PD revised engineering

Mark,

Attached is the revised engineering plans for the Green Heart Planned Development. Let me know if there is anything else you will need.

Thank you,

Kristi Jefferson
Senior Planner
City of Salida
448 East First Street
Suite 112
Salida, CO 81201
ph: 719-530-2626
fax: 719-539-5271



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: Andy Riemenschneider [<mailto:andy@lwconcepts.com>]

Sent: Thursday, April 28, 2022 8:15 AM

To: Kristi Jefferson <kristi.jefferson@cityofsalida.com>; morey@walkerengineering.net

Subject: Re: posting of the public notice for Green Heart

Kristi,

Please find attached a revised engineering package and a letter addressing the JVA comments dated April 15, 2022. If you have any questions or need any additional information, please let me know.

Thank you,

Andy Riemenschneider
Land and Water Concepts, Inc.
505-690-5873

| |



JVA, Incorporated
P.O. Box 1860
47 Cooper Creek Way
Suite 328
Winter Park, CO 80482
970.722.7677
info@jvajva.com

www.jvajva.com

May 3, 2022

Kristi Jefferson, Senior Planner
City of Salida
448 East 1st Street
Salida, Colorado 80201
Via email: Kristi.jefferson@cityofsalida.com

RE: Green Heart Planned Development and Minor Subdivision
JVA Job# 3121.13c


Dear Kristi:

JVA Inc. has reviewed Green Heart Planned Development documents submitted through email dated April 28, 2022 for conformance with the City of Salida Code of Ordinances (Code), and City of Salida Design and Construction Standards. Upon review, we find that the revised submittal documents can proceed with planning commission recommendation for approval, and can proceed to second reading and public hearing of the ordinance.

1. We assume that all other reviewing agencies have had opportunity to comment and any required changes to the plans that come from these comments will be made.
2. Development team should obtain construction easement or written property owner permission for work on adjacent properties prior to construction
3. Informational Comment: A Geotechnical report should be obtained prior to construction of insurable structures and design of retaining wall along neighboring property

Please feel free to reach out to us if you have any comments or questions.

Sincerely,
JVA, INCORPORATED

By: 
Mark G. Rocheleau, P.E., CFM
Senior Project Engineer

From: [Renee Thonhoff](#)
To: [Kristi Jefferson](#)
Cc: [David Lady](#); [Doug Bess](#); [Kathy Rohrich](#); [Mark G. Rocheleau](#); [Vaughn, Sterling S](#); [Daniel.higgins@atmosenergy.com](#); [Mark.Cristelli@atmosenergy.com](#); [David Blackburn](#)
Subject: Re: 535 W. 7th - PD & Minor Subdivision
Date: Thursday, March 03, 2022 8:55:41 AM
Attachments: [image003.png](#)

Kristi,

Currently there are no water or sewer utilities on the property located at 535 West Seventh Street. Upon development system development fees will need to be paid for all residences.

Thank you,

Renee

Renee M. Thonhoff M.B.A.
Staff Accountant
City of Salida
448 East First Street, Suite 112
Salida , Colorado 81201
719.530.2622 phone
719.539.5271 fax
Renee.Thonhoff@cityofsalida.com

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 Tue, Mar 1, 2022 at 10:40 AM Kristi Jefferson <kristi.jefferson@cityofsalida.com> wrote:

Attached is the agency review for the Green Heart Planned Development and Minor Subdivision applications. Please let me know if you have any concerns with the PD or Subdivision requests.

Kristi Jefferson

From: [Waugh, Sterling S](#)
To: [Kristi Jefferson](#); ["David Lady"](#); ["Doug Bess"](#); ["Kathy Rohrich"](#); ["Mark G. Rocheleau"](#); ["Renee Thonhoff"](#)
Cc: [Daniel.higgins@atmosenergy.com](#); [Mark.Cristelli@atmosenergy.com](#); [DBlackburn@salidaschools.org](#); [Moffett, Christopher B](#); [Bersano, Jason](#)
Subject: RE: 535 W. 7th - PD & Minor Subdivision
Date: Tuesday, March 01, 2022 4:55:35 PM
Attachments: [image002.png](#)
[Agency Review-Green Heart PD and Minor Sub.pdf](#)

Hello Kristi,

Thank you for letting Xcel review this. Xcel would request that all access easements also be utility easements.

10' front lot easements, 5' side lot easement, and 5' rear lot easement.

It is nice they have already added an easement for the existing OH lines.

The NESC clearance from that power line is a minimum of 7.5' clearance horizontally. The customer must maintain that clearance from the home. They also need to make sure they have no person within 10' radius of that power line per OSHA standard.

Thanks again.

Respectfully,

Sterling S Waugh C:719-717-0041 Mon-Thurs 7-5:30

[Xcel-Energy-Standard-For-Electric-Installation-and-Use.pdf \(xcelenergy.com\)](#)

APPLICATION REQUEST

<https://my.xcelenergy.com/BuildingRemodeling/s/>

From: Kristi Jefferson <kristi.jefferson@cityofsalida.com>

Sent: Tuesday, March 1, 2022 10:40 AM

To: 'David Lady' <david.lady@cityofsalida.com>; 'Doug Bess' <doug.bess@cityofsalida.com>; 'Kathy Rohrich' <kathy.rohrich@cityofsalida.com>; 'Mark G. Rocheleau' <mrocheleau@jvajva.com>; 'Renee Thonhoff' <renee.thonhoff@cityofsalida.com>

Cc: Waugh, Sterling S <Sterling.S.Waugh@xcelenergy.com>; Daniel.higgins@atmosenergy.com; Mark.Cristelli@atmosenergy.com; DBlackburn@salidaschools.org

Subject: 535 W. 7th - PD & Minor Subdivision

EXTERNAL - STOP & THINK before opening links and attachments.

Attached is the agency review for the Green Heart Planned Development and Minor Subdivision applications. Please let me know if you have any concerns with the PD or Subdivision requests.

Kristi Jefferson
Senior Planner
City of Salida

Senior Planner

City of Salida

448 East First Street

Suite 112

Salida, CO 81201

ph: 719-530-2626

fax: 719-539-5271



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: [Higgins, Dan W](#)
To: [Kristi Jefferson](#)
Cc: [Cristelli, Mark G](#)
Subject: FW: [EXT] Re: 535 W. 7th - PD & Minor Subdivision
Date: Friday, March 04, 2022 11:16:18 AM
Attachments: [image003.png](#)

Kristi,

FYI, there is a gas service onto this lot so prior to demo the line will have to be retired. Any future development is subject to Atmos Energy main Extension Contract arrangements to be service by natural gas.

Thanks

Dan

From: Kathy Rohrich <kathy.rohrich@cityofsalida.com>
Sent: Friday, March 4, 2022 9:17 AM
To: Renee Thonhoff <renee.thonhoff@cityofsalida.com>
Cc: Kristi Jefferson <kristi.jefferson@cityofsalida.com>; David Lady <david.lady@cityofsalida.com>; Doug Bess <doug.bess@cityofsalida.com>; Mark G. Rocheleau <mrocheleau@jvajva.com>; Waugh, Sterling S <Sterling.S.Waugh@xcelenergy.com>; Higgins, Dan W <Daniel.Higgins@atmosenergy.com>; Cristelli, Mark G <Mark.Cristelli@atmosenergy.com>; David Blackburn <DBlackburn@salidaschools.org>
Subject: [EXT] Re: 535 W. 7th - PD & Minor Subdivision

CAUTION: Don't be quick to click. This e-mail originated from outside of Atmos Energy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Kristi,

Fire has no concerns at this time. They may have to trim up those pine trees for the fire truck to make it through. Thank you!

Kathy

On Thu, Mar 3, 2022 at 8:55 AM Renee Thonhoff <renee.thonhoff@cityofsalida.com> wrote:

Kristi,

Currently there are no water or sewer utilities on the property located at 535 West Seventh Street. Upon development system development fees will need to be paid for all residences.

Thank you,

Renee

Renee M. Thonhoff M.B.A.

From: [Blackburn, David](#)
To: [Kristi Jefferson](#)
Subject: Re: 535 W. 7th - PD & Minor Subdivision
Date: Tuesday, March 01, 2022 12:42:52 PM
Attachments: [image003.png](#)

I have no concerns. We will accept fees in lieu of land.

Respectfully,

David Blackburn
Superintendent
719.530.5203
salidaschools.com

On Tue, Mar 1, 2022 at 10:40 AM Kristi Jefferson <kristi.jefferson@cityofsalida.com> wrote:

Attached is the agency review for the Green Heart Planned Development and Minor Subdivision applications. Please let me know if you have any concerns with the PD or Subdivision requests.

Kristi Jefferson

Senior Planner

City of Salida

448 East First Street

Suite 112

Salida, CO 81201

ph: 719-530-2626

fax: 719-539-5271



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: senate@brucecairns.org
To: bill.almquist@cityofsalida.com; kathryn.dunleavy@cityofsalida.com; kristi.jefferson@cityofsalida.com; franco.palumbo@cityofsalida.com
Subject: 535 W. 7th RE: Hearing 3/28/22 COMMENTS FOR RECORD
Date: Friday, March 25, 2022 5:04:58 AM

Dear Director and Development Staff:

First item: Thanks for the notice about the above property change. Additionally there was no email address on the notification and the "goto" link was not active.

If you are not the correct addresses please forward to the correct addresses and inform me of the correct emails. Logically, also, please forward to the Board of Adjustment Commissioners. I will be out of town so can not attend the meeting that you cordially gave us notice of.

Second Item: Concerns for the record. We live in Mission Townhomes across the street. We are concerned about views; overbearing houses cluttering up our street and blocking our marvelous views to the west.

The property drops going toward the open pastures. My comment for the record would be to limit the R2 lots to single story with walkout basements as the first and existing house on Parcel B is now. Is that an unreasonable request? Also to set the structures to the back edge of the property line, thus setting them in the land drop, somewhat below or slightly above the street line.

For the two house on the pasture, can they be encouraged to not build them over the garages, thereby keeping them at 2 stories, and discourage utilizing the 35 foot height limit in Salida.

thanks for hearing and listening to us. We do not want this special town to be to dense or cluttered.

Gratefully, Bruce Cairns
540 W 7th St. Unit 4, Salida, CO 81201
Email, above.
Phone 720 936 5344

From: [Bill Almquist](#)
To: [Kristi Jefferson](#)
Subject: Fwd: Green Heart LLC Subdivision Proposal
Date: Monday, March 28, 2022 8:28:28 PM

FYI...

----- Forwarded message -----

From: **Erin Kelley** <erin.kelley@cityofsalida.com>
Date: Mon, Mar 28, 2022 at 8:22 PM
Subject: Re: Green Heart LLC Subdivision Proposal
To: Bill Almquist <bill.almquist@cityofsalida.com>, Janie O'Hare <williams4j@outlook.com>
Cc: clerk@cityofsalida.com <clerk@cityofsalida.com>

Adding Bill for assistance.

On Mon, Mar 28, 2022 at 7:58 PM Janie O'Hare <williams4j@outlook.com> wrote:

I am submitting comment to the Green Heart LLC Subdivision proposal. I was on the website during the meeting and had my hand up to make a verbal comment. For some reason I was not allowed to make comment.

I own the irrigated hay meadow west of the proposed development and want to bring up some points that may become issues into the future. This land is an active livestock and hay operation where this use may become a nuisance to the lot owners. Livestock in the area will attract flies, produce noises and smells. There is also a concern of dogs harassing livestock.

Another concern is irrigation during the summer may cause the water table to rise on the proposed development.

These are the main points I wanted to bring up during your meeting. I am not against the development, I just want these concerns brought up front to avoid any issues into the future.

Sincerely,

Jeff Williams

719-431-1464



GENERAL DEVELOPMENT APPLICATION

448 East First Street, Suite 112

Salida, CO 81201

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

Email: planning@cityofsalida.com

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

- | | |
|--|---|
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Administrative Review:
(Type) _____ |
| <input type="checkbox"/> Pre-Annexation Agreement | |
| <input type="checkbox"/> Variance | <input type="checkbox"/> Limited Impact Review:
(Type) _____ |
| <input type="checkbox"/> Appeal Application | |
| <input type="checkbox"/> Certificate of Approval | <input checked="" type="checkbox"/> Major Impact Review:
(Type) <u>PLANNED DEVELOPMENT</u> |
| <input type="checkbox"/> Creative Sign Permit | |
| <input type="checkbox"/> Historic Landmark/District | <input type="checkbox"/> Other: _____ |
| <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: GREEN HEART LLC ANDY RIEMENSCHNEIDER

Mailing Address: 834 H STREET, SALIDA CO 81201

Telephone Number: 505-690-5873 FAX: _____

Email Address: andy@lwconcepts.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: GREEN HEART PLANNED DEVELOPMENT

Street Address: 535 7th ST., SALIDA CO 81201

Legal Description: Lot _____ Block _____ Subdivision _____ (attach description)

PARCEL A GREEN HEART BOUNDARY LWF ADJUSTMENT
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 [Signature] Date 2-1-22

Signature of property owner _____ Date _____



GENERAL DEVELOPMENT APPLICATION

448 East First Street, Suite 112

Salida, CO 81201

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

Email: planning@cityofsalida.com

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

- | | |
|--|---|
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Administrative Review:
(Type) _____ |
| <input type="checkbox"/> Pre-Annexation Agreement | |
| <input type="checkbox"/> Variance | |
| <input type="checkbox"/> Appeal Application | <input checked="" type="checkbox"/> Limited Impact Review:
(Type) <u>Minor Subdivision</u> |
| <input type="checkbox"/> Certificate of Approval | |
| <input type="checkbox"/> Creative Sign Permit | <input type="checkbox"/> Major Impact Review:
(Type) _____ |
| <input type="checkbox"/> Historic Landmark/District | |
| <input type="checkbox"/> License to Encroach | <input type="checkbox"/> Other: _____ |
| <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: GREEN HEART LLC ANDY RIEMENSCHNIGER

Mailing Address: 834 H STREET, SALIDA CO 81201

Telephone Number: 505-690-5873 FAX: _____

Email Address: andy@lwconcepts.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: GREEN HEART PLANNED DEVELOPMENT

Street Address: 535 7th STREET, SALIDA CO 81201

Legal Description: Lot _____ Block _____ Subdivision _____ (attach description)

PARCEL A GREEN HEART BOUNDARY LUT ADJ.

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: [Signature] Date: 2-3-22

Signature of property owner: _____ Date: _____

Green Heart LLC Subdivision at 535 7th Street

As an introduction, Green Heart LLC is two families who have partnered together to purchase the parcel of land at 535 7th Street. Our names are Robin Nejame, Zack Zeiset, Annie Ruiter and Andy Riemenschneider. We are all local Salida residents who have each lived in Salida for at least 20 years.

Our goal is for both families to live on this parcel of land and to create a development that is a good fit for the neighborhood. We want to live next to local families who live and work in our community. Below are a few key points for this project.

- The Green Heart Planned Development doubles the number of lots in comparison to the Use by Right and provides access to 541 7th Street to allow this lot to add an Accessory Dwelling Unit (ADU). Including the lot at 541 7th Street, the number of additional units for these two lots can be 10 if you count the ADU's.
- Note, the location of the private roadway was chosen to try and keep the two mature spruce trees on 7th street. This roadway as shown goes between these two trees which are about 25 feet apart.
- Lots 3 and 4 are shown with a private access alley at the back of the lots. These lots fronting 7th Street, sold at market rate, can provide reasonably priced housing for young families and our work force.
- The preferred alternative would require the following deviations from the Dimensional Standards:
 - Lots 1 and 2 The minimum lot frontage be measured from the new private road.
 - Lots 3 and 4 The minimum lot frontage, lot area, lot coverage, landscape area and setbacks to match R2. Because of the rear access across the lot, the rear setback will be 20'
 - Lot 2 the rear setback was increased to 40'. This was to allow Lot 1 to have a less unobstructed view corridor.

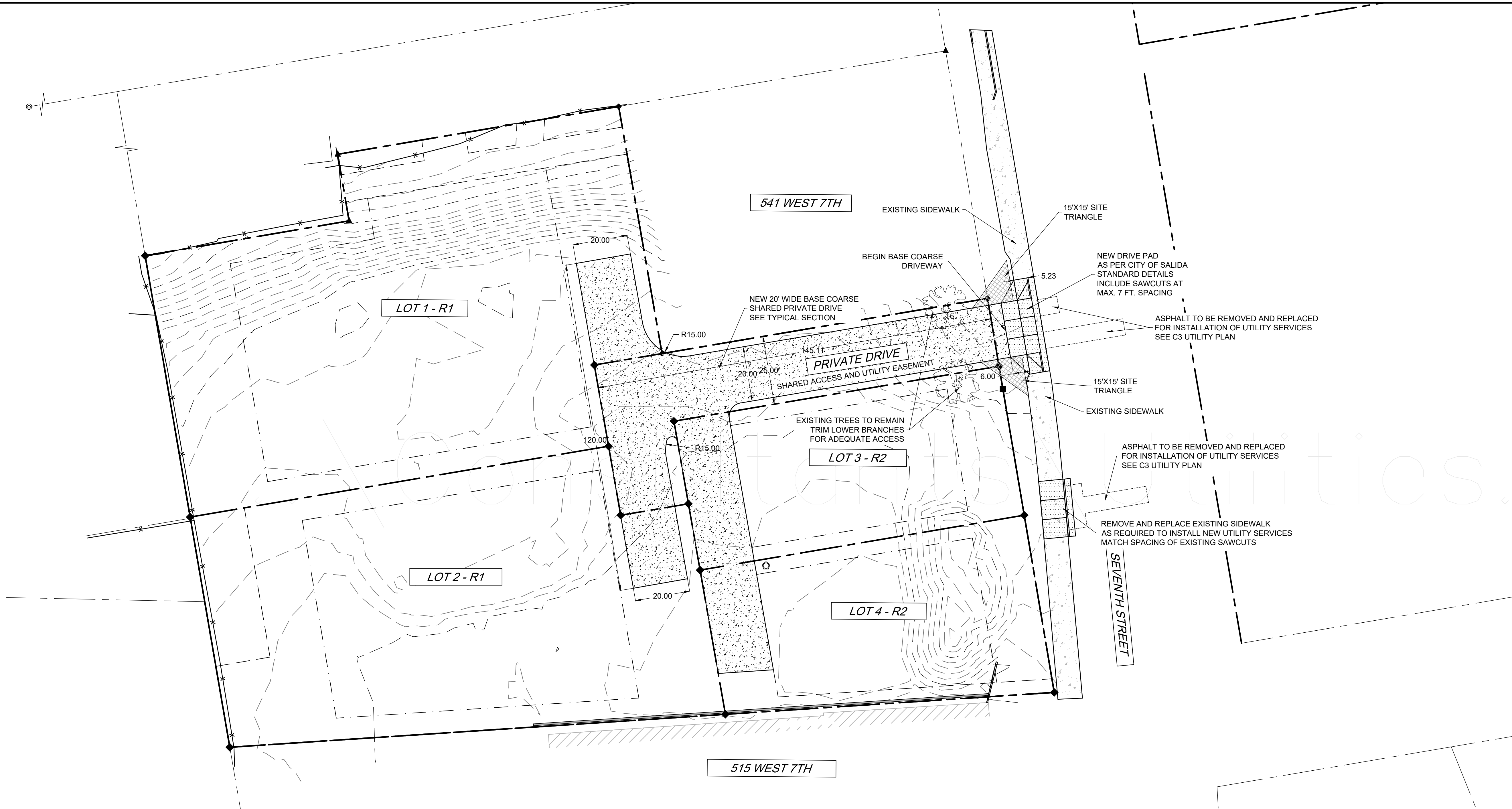
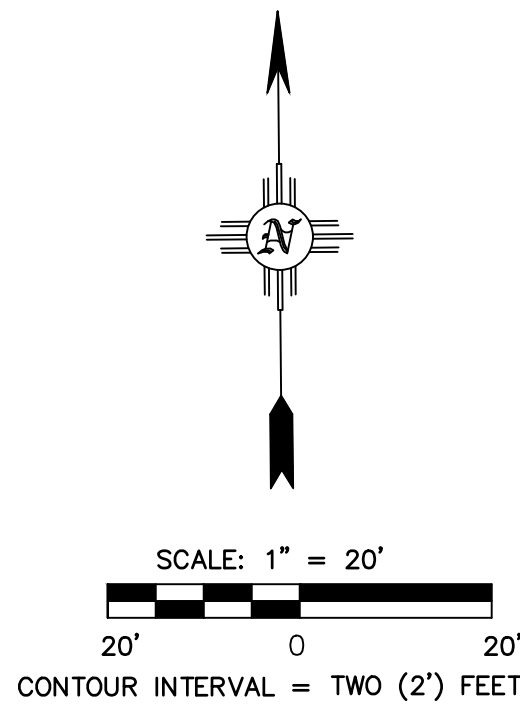
There have been numerous conversations regarding the maximum developable potential for this parcel. Fiscally, a large multi-unit project is not something we can afford and is not our goal. We were sold this property because the previous owner wanted families to live here and did not want to see big expensive condominiums. We are trying to meet this same goal and want to provide lots that locals can afford. Also, the City has zoned this parcel R-1 which we believe is not where high density project should be developed. The current city code states:

The purpose of the Single-Family Residential (R-1) zone district is to provide for residential neighborhoods comprised of detached single-family dwellings at relatively low densities.

We are open to discussions regarding the best way to meet the needs of the City and our goals. We understand that this may require us to develop this lot as a Planned Development (PD). We are interested to hear what this joint session has to say, so we can determine the best way forward.

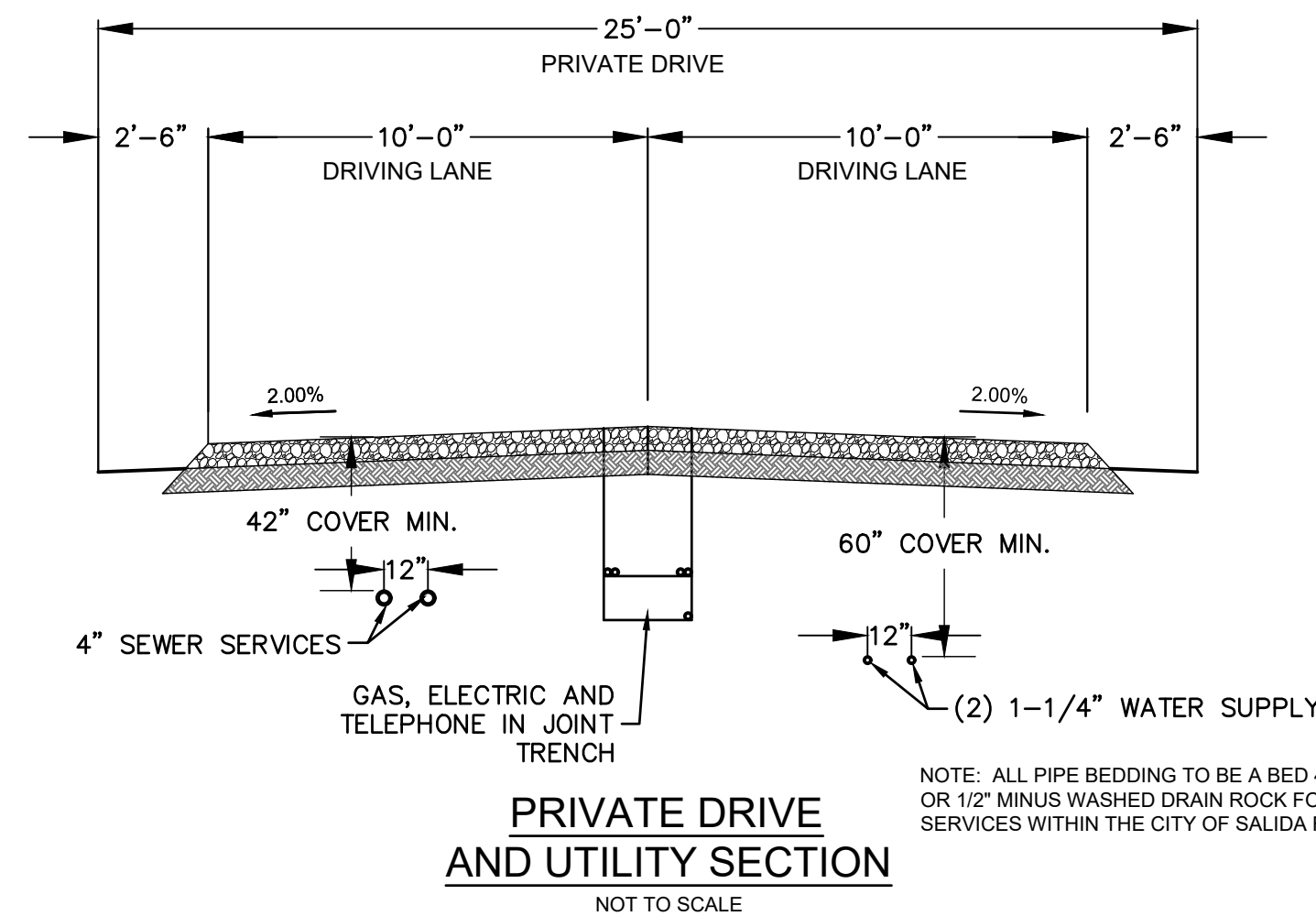
Andy Riemenschneider





LEGEND

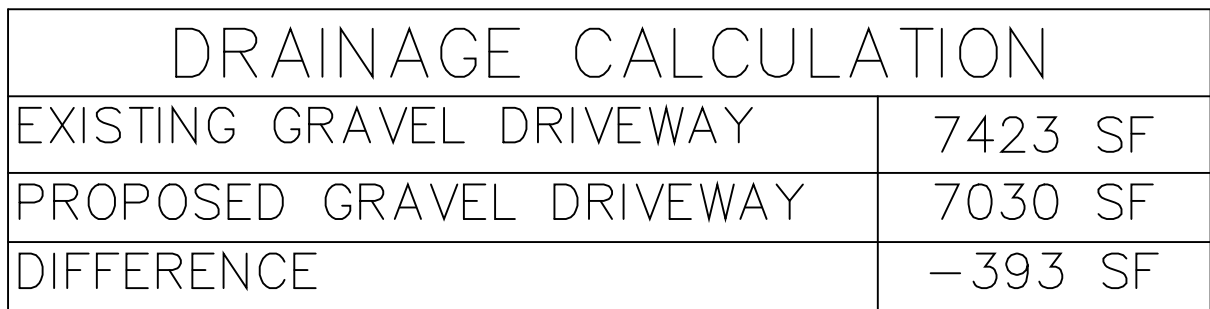
- PROPOSED PROPERTY LINE
- SETBACK
- EASEMENT



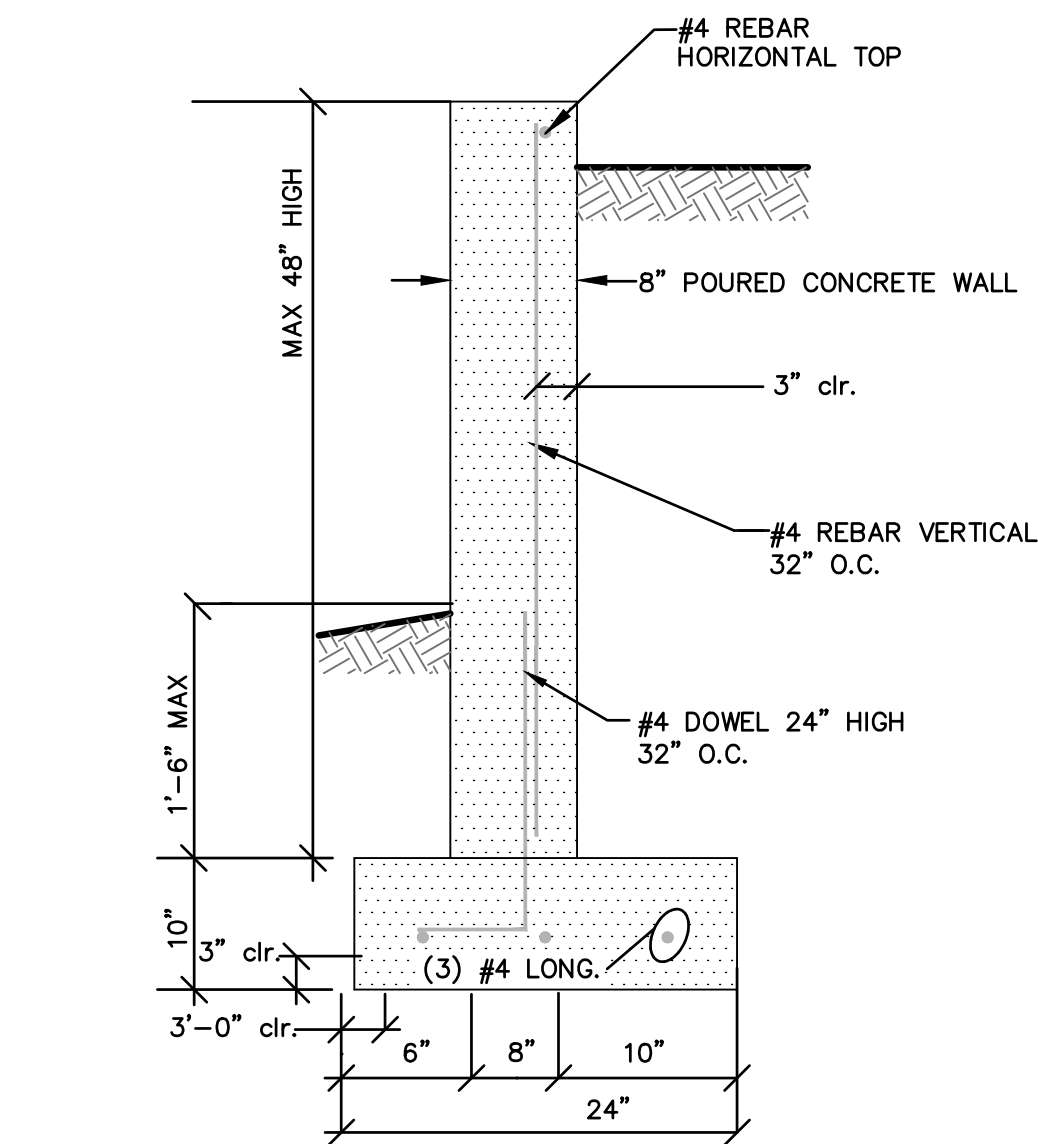
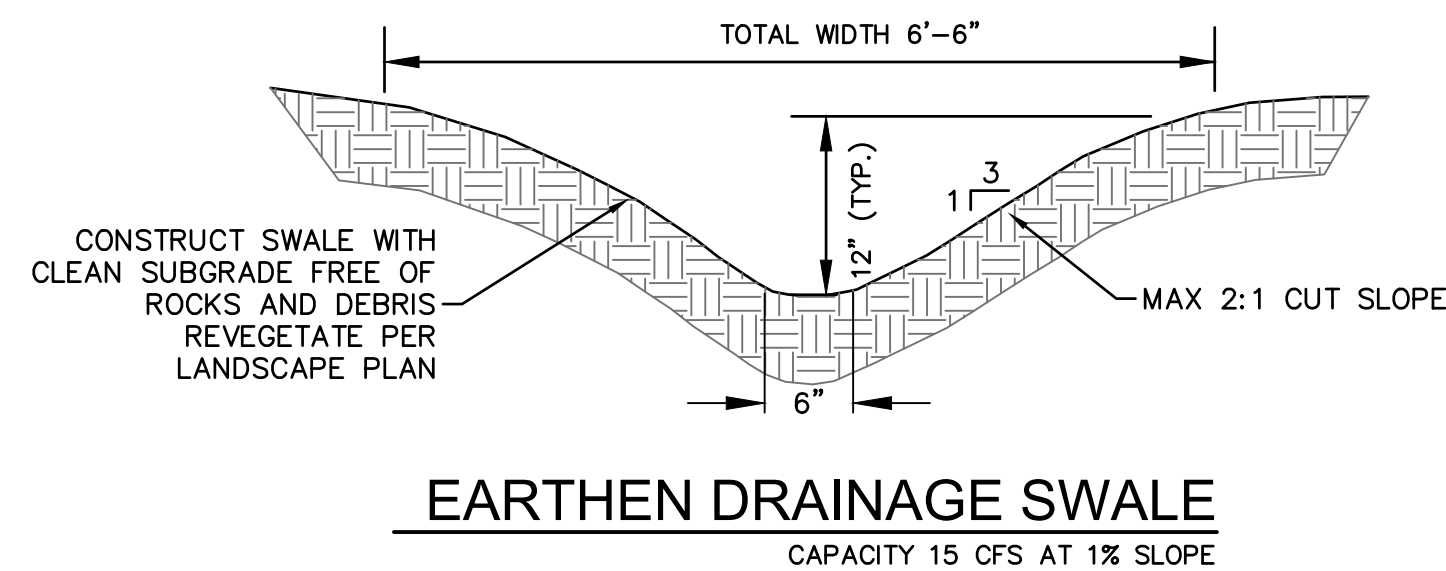
Civil Engineering • Water Resources • Traffic Engineering		Walker Engineering		905 Camino Sierra Vista, • Santa Fe, NM 87505		505-820-7990 FAX 505-820-3539 E-MAIL: civil@walkerengineering.net	
No.	REVISION	BY	APP.	DATE	PROJECT:	DESIGNED BY:	DRAWN BY:
					FILE:	4/5/2022	CHECKED BY:
				DATE:	SCALE:		
				4/5/22			
PROJECT: GREEN HEART PLANNED DEVELOPMENT				SHEET TITLE: STREET IMPROVEMENT PLAN			
CITY REVIEW				SIGN-OFF			
DEPARTMENT	DATE						
WATER							
WATER							
FW ENGINEERING							
TRAFFIC							
FIRE DEPARTMENT							
SOLID WASTE							
LANDSCAPE							
TRAILS/OPEN SPACE							
SUBDIVISION REVIEW							
SHEET NO.				C1			



FL	FLOW LINE
EOR	EDGE OF ROAD
EG	EXISTING GRADE
TW	TOP OF WALL
BW	BOTTOM OF WALL
HP	HIGH POINT
LP	LOW POINT



NOTE: NO STORM WATER RETENTION IS REQUIRED FOR THE NEW BASE COARSE PRIVATE DRIVE. THE AREA OF THIS NEW DRIVE IS LESS THAN THE EXISTING GRAVEL DRIVEWAYS ON SITE WHICH ARE TO BE REMOVED.



Rebar $f_y = 60,000$ psi Concrete $F'_c = 3,000$ psi CMU $f'_m = 1500$ psi

CMU RETAINING WALL DETAIL

[illegible]

