



PLANNING COMMISSION REGULAR MEETING

448 E. 1st Street, Room 190 Salida, Colorado 81201
December 14, 2021 - 6:00 PM

MINUTES

Email public comments to: publiccomment@cityofsalida.com

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

CALL TO ORDER BY CHAIRMAN – 6:01 PM

PRESENT

Chairman Greg Follet
Vice-Chair Francie Bomer
Commissioner Judith Dockery
Commissioner Giff Kriebel
Commissioner Michelle Walker
Commissioner Dave Haynes

ABSENT

Commissioner Doug Mendelson

ROLL CALL

APPROVAL OF THE MINUTES

1. November 22, 2021 - Draft Minutes

Motion made by Commissioner Walker, Seconded by Vice-Chair Bomer.

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

UNSCHEDULED CITIZENS

AMENDMENT(S) TO AGENDA

PUBLIC HEARINGS

Public Hearings will follow the following procedure:

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

Commissioner Kriebel recused himself from the 141 Annex Annexation and 141 Annex Zoning hearings

- #### 2. 141 Annex Annexation
- The applicants, Jeff Kriebel, Thomas Clegg and Wendell Winger, are requesting approval to annex each of their lots into the City of Salida. The properties proposed for annexation are located at 7543 C.R. 141, 7547 C.R. 141 and 7551 C.R. 141, between County Roads 140 and 141 (1.358 acres in total).

- A. Open Public hearing – 6:02pm
- B. Proof of Publication -Yes
- C. Staff Review of Application –

Staff recommends that Planning Commission recommend the City Council approve the annexation subject to the conditions listed in the commissioner packet.

D. Applicant's Presentation –

The applicants, Jeff Kriebel, Thomas Clegg and Wendell Winger, were available to answer questions.

E. Public Input – N/A

F. Close Public Hearing – 6:05pm

G. Commissioner Discussion –

H. Commission Recommendation –

Motion made by Vice-Chair Bomer, Seconded by Commissioner Dockery.

Voting Yea: Chairman Follet, Vice-Chair Bomer, Commissioner Dockery, Commissioner Walker, Commissioner Haynes

THE MOTION PASSED.

3. **141 Annex Zoning** - The applicants, Jeff Kriebel, Thomas Clegg and Wendell Winger are requesting a zoning designation of Medium Density Residential (R-2), should the property be annexed.

A. Open Public hearing – 6:08pm

B. Proof of Publication -Yes

C. Staff Review of Application –

Staff recommends that Planning Commission recommend City Council approve the proposed zoning of the site as Medium-Density Residential (R-2).

D. Applicant's Presentation –

The applicants Jeff Kriebel, Thomas Clegg and Wendell Winger were available to answer questions.

E. Public Input – N/A

F. Close Public Hearing – 6:09pm

G. Commissioner Discussion –

H. Commission Recommendation –

Motion made by Vice-Chair Bomer, Seconded by Commissioner Walker.

Voting Yea: Chairman Follet, Vice-Chair Bomer, Commissioner Dockery, Commissioner Walker, Commissioner Haynes

THE MOTION PASSED.

4. **Amendment to Chapters 16 and 6, Land Use Code** - The proposed request is for amendments to Land Use Code Sections 16-1-80, 16-4-190 and Table 16-D Schedule of Uses. The amendment is regarding adult oriented businesses.

A. Open Public hearing – 6:12pm

B. Proof of Publication -Yes

C. Staff Review of Application –

Planning Director, Almquist, amended the staff recommendation to have adult entertainment and adult retail shops as two different entities in the code. He recommended that adult retail and like should be conditional uses in C1, C2 and Industrial. Adult Entertainment establishments would be a conditional use only in the Industrial zone. Staff recommends approval with the amendments discussed.

The Commissioners asked staff the following:

- The business hours of adult retail establishments
- Why the distinction between retail and entertainment was made
- Why there are distant limits between adult entertainment and adult retail shops
- Would a one-time per year adult entertainment show that is renting a space fall under this language change?

D. Applicant's Presentation – N/A

E. Public Input – N/A

F. Close Public Hearing – 6:22pm

G. Commissioner Discussion –

The Commissioners discussed the zoning of potential adult retail establishments and the hours

H. Commission Recommendation –

Motion made by Commissioner Haynes, Seconded by Commissioner Dockery.

The Commissioners discussed the following:

- Portrayals of nudity at a bookstore
- Hours of retail businesses in the C-2
- Whether there were federal, state or local age restrictions for adult retail establishments
- Receiving more clarification from Planning staff on where adult retail shops could be located and where adult entertainment could be located

Voting Yea: Chairman Follet

Voting Nay: Vice-Chair Bomer, Commissioner Dockery, Commissioner Kriebel, Commissioner Walker, Commissioner Haynes

THE MOTION FAILED.

Motion to continue the hearing to the January 24, 2022 Planning Commission regular meeting was made by Vice-Chair Bomer, Seconded by Commissioner Kriebel.

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

THE MOTION PASSED.

5. Salida Bottling Company Planned Development and Major Subdivision -

The applicant (Salida Bottling Company, LLC) is requesting two actions related to a 0.60 ac. (26,112 SF) parcel at 323 West First Street, at the west corner of Hwy 291 and the Monarch Spur Trail. The property is split zoned, Commercial (C-1) and Industrial (I). The entire site is located within the Hwy 291 Established Residential Overlay. The requests are:

A. Major Impact Review to approve a Planned Development Overlay

B. A Major Impact Review to approve a Major Subdivision to split the 0.6 acre parcel into 16 townhome lots and 1 out-lot.

A. Open Public hearing – 6:54pm

B. Proof of Publication -Yes

C. Staff Review of Application –

Planner, Dunleavy, recommended to review the development in the current meeting but set a continuance of the Public Hearing to January 24th, 2022 to allow time to finalize Utility plans.

Commissioners asked the following questions to staff:

- Are there trees on the lot?
- How many stories the structure can have in code?
- What would the street parking look like?

D. Applicant's Presentation –

Co-owner, Eric Warner and Architect, Kenny Craft, presented the application.

The Commissioners asked the architect the following questions:

- What does “complimentary” building mean?

Short Recess due to internet issues

- What the roof size would be and what would the total number of structures would be?
- Will there be accesses to these structures per unit?
- Would the applicant consider more Inclusionary Housing?
- Would the applicant consider not allowing Short Term Rentals in their HOA?
- What is the estimate for the market prices of the units?

E. Public Input –

Erika Reilly asked who will own the units, whether there will be other parking spots and will other units be available in this particular location.

F. Close Public Hearing – 8:18pm

G. Commissioner Discussion –

Commissioners discussed:

- A continuation due to utilities
- Commission would like the applicant to consider more inclusionary housing
- Architectural continuity
- Traffic line of sight
- Parking for commercial spaces
- Shared roof space and rooftop access
- Consider asking the HOA to not include Short Term Rentals
- Have the planning staff negotiate the AMI's with the developers and bring back options to commission

H. Commission Recommendation -

A. Major Impact Review to approve a Planned Development Overlay

Motion to **continue** the hearing to the January 24, 2022 Planning Commission regular meeting was made by Vice-Chair Bomer, Seconded by Commissioner Kriebel.

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

THE MOTION PASSED.

B. A Major Impact Review to approve a Major Subdivision to split the 0.6 acre parcel into 16 townhome lots and 1 out-lot.

Motion to **continue** the hearing to the January 24, 2022 Planning Commission regular meeting was made by Vice-Chair Bomer, Seconded by Commissioner Kriebel.

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

THE MOTION PASSED.

UPDATES

COMMISSIONERS' COMMENTS

ADJOURN With no further business to come before the Commission, the meeting adjourned at 9:00 p.m.