



PLANNING COMMISSION STAFF REPORT

MEETING DATE: October 23, 2023

AGENDA ITEM TITLE: Recommendation on Proposed Annexation – Flour Mill Annexation

AGENDA SECTION: Public Hearing

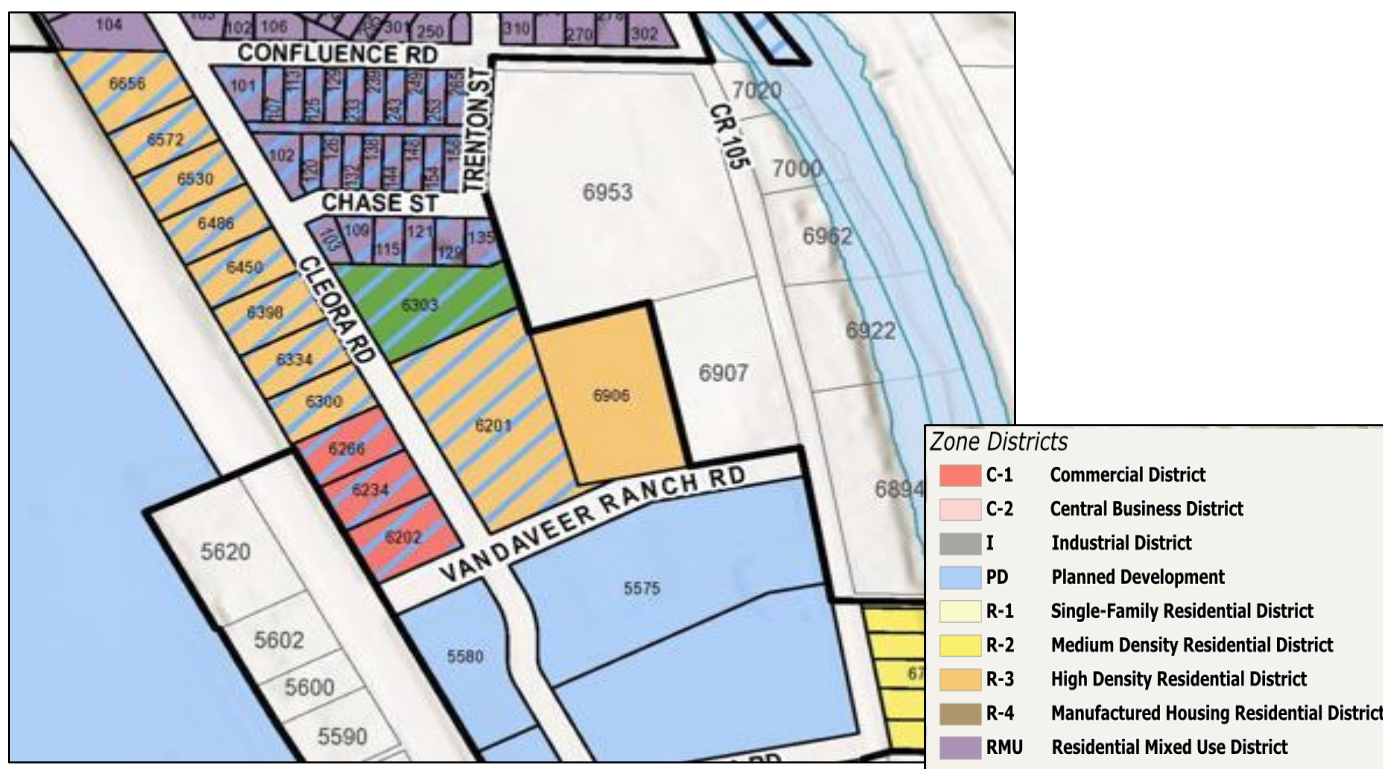
REQUEST / BACKGROUND:

The applicant, Biker Baker LLC, represented by Rob Gartzman submitted a complete application to annex the property located at 6907 County Road 105 on September 13, 2023 along with an application for Zoning to be considered during a separate hearing.

A conceptual review meeting was held with City Council and Planning Commission on August 14, 2023.



Surrounding Land Use and Zoning: The site is currently zoned RES (Residential Zone District) in Chaffee County. The properties to the north and east remain in Chaffee County and are also zoned RES. The properties to the west are within the city limits and are zoned High Density Residential (R-3) and the properties to the south are part of the Vandaveer Ranch Planned Development.



PROCESS:

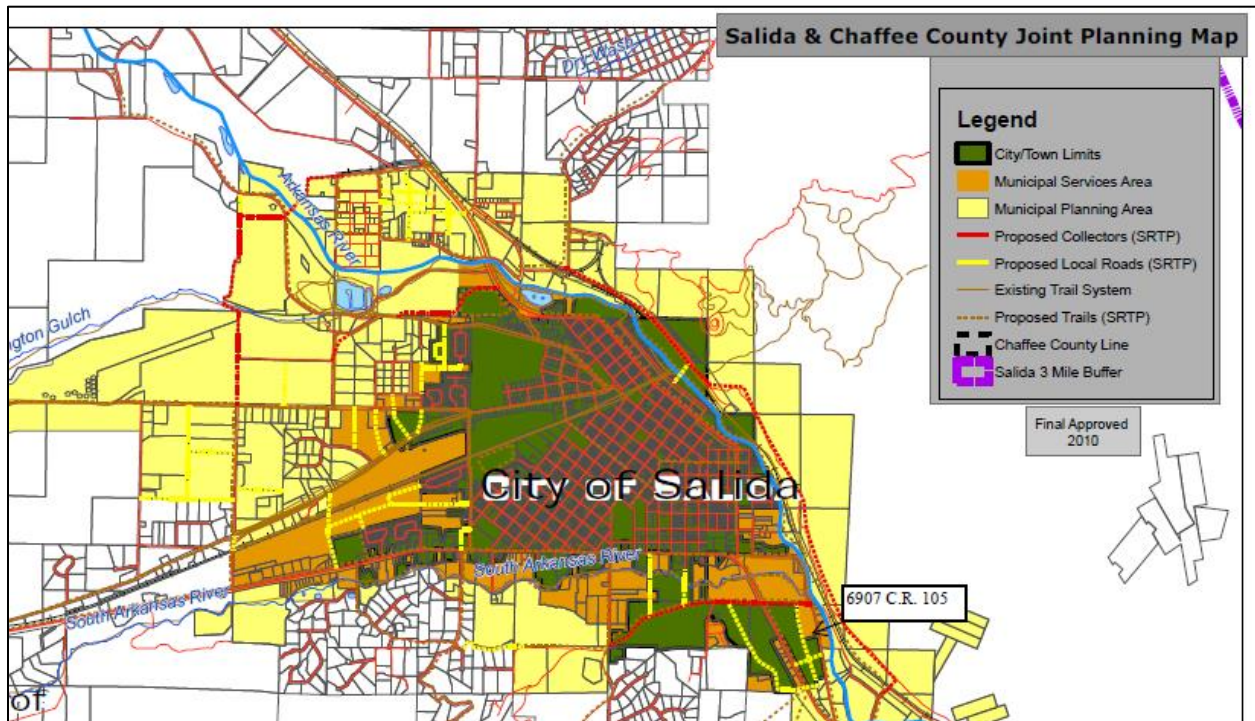
An application for annexation is a multi-step process. When annexing a property, the City must follow state statutes for contiguity and procedural requirements. The steps and standards include:

- 1/6th of the perimeter of a proposed annexation must be contiguous with the City of Salida;
- Staff reviews the petition for compliance with city and state statutes and Council adopts a resolution stating the petition is valid and sets a public hearing date that is no less than 30 days and no greater than 60 days from the resolution date;
 - On October 17, 2023 City Council adopted Resolution 2023-46 finding the Annexation petition in compliance with city and state statutes and set the public hearing date for December 5, 2023.
- The (City Council) public hearing is advertised in the newspaper for four consecutive weeks;
- The Planning Commission holds a public hearing to review the annexation and recommend the zoning designation of the property;
- Council holds the public hearing on the annexation petition;
- Council reviews and possibly approves an annexation agreement; and
- Council holds a public hearing to review and possibly approves the proposed zoning.

FINDINGS OF FACT:

As explained above, the annexation shall be considered by the Commission as a required step prior to the zoning of the property. The following findings of facts are required for annexation:

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



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

RESPONSE FROM REFERRAL DEPARTMENTS AND AGENCIES:

- Salida Fire Department: Assistant Fire Chief, Kathy Rohrich, responded "Fire Department has no concerns at this time."
- Salida Police Department: Police Chief, Russ Johnson, responded "No issues from PD at this time."
- Salida Parks and Recreation Department: Director Diesel Post, responded "Thanks for sharing. I do not see any mention of open space or fee-in-lieu. I know that Rob mention to the planning commission that Confluent park was so close and that that would the park that this neighborhood would use, use he will still need fee-in-lieu and probably some trail connections."
- Public Works Department and City Engineering Consultants: Public Works and JVA are in the process of reviewing the civil plans.
- Salida Finance Department: Staff Accountant, Renee Thonhoff, responded 6907 C.R. 105 has a sewer/water utility account. System development fees would need to be paid upon further development.
- Salida School District: Superintendent David Blackburn, responded "We will accept fees in lieu of land."
- Xcel Energy: Response is attached
- Chaffee County Planning Department, No response received

STAFF RECOMMENDATION:

Staff recommends the Planning Commission recommend City Council approve the proposed annexation, subject to the conditions listed below.

RECOMMENDED MOTIONS:

"I make a motion to recommend City Council approve the proposed Flour Mill Annexation as it meets the findings of fact for annexation, subject to the following recommended conditions to be included in the annexation agreement:

1. That new residential dwelling units constructed on the property shall meet the inclusionary housing requirements of Article XIII of Chapter 16 of the Salida Municipal Code at the time of building permit submittal.
2. That new residential dwelling units constructed on the property shall meet the requirements of Land Use Code Sec. 16-6-140, Fair Contributions to Public School Sites, at the time of issuance of a building permit.
3. Fees in lieu of open space shall be provided, in an amount then in effect, at the time of issuance of a building permit for new residential units constructed on the property.

Attachments: Proof of publication
Agency Reviews
Flour Mill Annexation Application and Plat Submittal