



CITY COUNCIL ACTION FORM

DEPARTMENT	PRESENTED BY	DATE
Planning	Bill Almquist - Community Development Director	October 4, 2022

ITEM

Request for the City Council for the City of Salida, Colorado Granting a Timeline Extension for the Submittal of Building Permit Application for Building A of the Salida Crossings Planned Development and Adjustment of Construction Schedule (Public Hearing)

BACKGROUND

Salida Crossings was originally approved as a 3-building, 122-unit mixed-use project over 3.15 acres approved via a Planned Development process which allowed additional density and building height in exchange for 30 affordable deed restricted units, greater setbacks, and street improvements. The PD was originally approved by the City Council through the adoption of Ordinance 2018-04 on March 20, 2018. Prior to the ordinance becoming effective, citizens submitted a referendum petition protesting the ordinance. On June 6, 2018, the City Council upheld their decision to approve the Planned Development; and a Special Ballot Question was set for a special election on September 25, 2018. The ballot measure passed to uphold the Ordinance, and the election results were certified by City Council on October 16, 2018, which is now the effective date of Ordinance 2018-04.

Subsequently, the original owner of the property/development was approved two separate request to extend various benchmark start dates for the project, plus a minor amendment to the plan. The property was sold by the original developer to BV Investments, LLC in 2021. In June 2022, City Council granted approval to the new owners for an additional time extension through October 14th, 2022 on submittals of the initial building permit application. A condition of the extension stated that "If applications and fees are not received by said date, the applicant shall be required to return to City Council once again for a review of the time limits of the Planned Development, per the authority of Sec. 16-7-110 of the Salida Municipal Code. At such a review, City Council may extend the time for completion of the PD, may revoke approval for the uncompleted portion of the PD, or require that the PD be amended. Meeting said deadline in no way exempts the project from other requirements of the section in regards to progress substantially in conformity with the newly approved development schedule."

Since the extension approval, the new owners have reconsidered the layout and viability of the project (given existing costs and other factors) and determined that they would like to pursue a major amendment to the approved Planned Development. The details of the new proposal will be presented during the joint Planning Commission/City Council work session preceding this evening's regular meeting.



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EVALUATION CRITERIA

Sec. 16-7-150(a)(2) of the Land Use Code provides general criteria for granting such a timeline extension, regardless of whether the amendment to the Planned Development is approved or not: "No substantial modification, removal, or release of the provisions of a PD Development Plan by the City shall be permitted except upon a finding of the City Council, following a public hearing upon notice as required by this Chapter, that the modification, removal, or release is:

- (i) Consistent with the efficient development and preservation of the entire PD;
 - Staff finds the request is consistent with the efficient development and preservation of the entire PD. The timeline extension, unto itself, will not affect what is presently approved.
- (ii) Does not affect in a substantially adverse manner either the enjoyment of land abutting upon or across the street from the PD or the public interest; and
 - Staff finds the request does not affect in a substantially adverse manner either the enjoyment of land abutting upon or across the street from the PD or the public interest, because the timeline extension, unto itself, will not affect what is presently approved.
- (iii) Is not granted solely for a special benefit upon any person.
 - Staff finds the request is not granted solely for a special benefit upon any person, but rather provides the applicant with an opportunity to pursue a potential amendment to the PD.

RECOMMENDED FINDINGS

That the timeline extension request is in conformance with Section 16-7-150(a)(2)(i), (ii), and (iii).



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STAFF RECOMMENDATION

Staff recommends that City Council approve the timeline extension request with the following condition:

- The applicant shall submit building permit applications for Building A (the mixed-use building closest to the highway) by April 28th, 2023. Such applications shall be submitted substantially complete along with all required fees. If applications and fees are not received by said date, the applicant shall be required to return to City Council once again for a review of the time limits of the Planned Development, per the authority of Sec. 16-7-110 of the Salida Municipal Code. At such a review, City Council may extend the time for completion of the PD, may revoke approval for the uncompleted portion of the PD, or require that the PD be amended. Meeting said deadline in no way exempts the project from other requirements of the section in regards to progress substantially in conformity with the newly approved development schedule.

SUGGESTED MOTION

A Council person should move to "grant the timeline extension request for the Salida Crossings Planned Development, subject to the condition recommended by City staff."

Attachments:

Narrative for Timeline Extension Request

Comparison of Current and Proposed Salida Crossings Planned Development Site Plans

Public Notice

Date: 9.28.2022

Re: SALIDA CROSSINGS

1520 US HWY 50 Salida CO

Developer: BVD Investments

401 Whitewing Rd, Murphy Texas 75094

Town Council,

Good morning my name is Bernard Weber, I am the Senior Project Manager for Salida Crossings located at 1520 HWY 50. We would like to request an extension to the current approved application to submit for a building permit, for the time period to allow Council to review a new proposed site plan. The proposed site plan will consist of 92 units in total; consisting of (20) 1350sqft condominiums, all to be individually deeded, 72 apartments also individually deeded and 10,000 sqft of commercial retail space. We believe with the approval of this modification to the current approved site design the property will provide a better product not only for the Town but for the residence. We appreciate your consideration and look forward to providing a well-developed property.

Bernard Weber

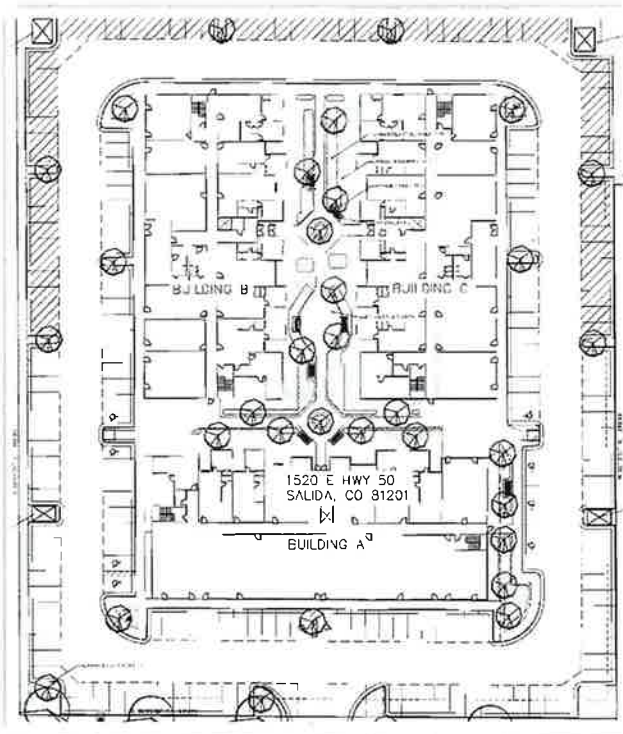
BVD Investments

BVD Investments

401 Whitewing Rd, Murphy Texas 75094

Salida Crossings Comparison

Old Site Plan – 2017



New Site Plan - 2022



Site Data Comparison Table

	Approved (old)	Proposed (new)
Residential Density (units/acre)	42.5	28.6
Residential Density (units/lot sf)	1,024	1,492
Apartment Units	134	72
Townhome Units	0	20
Total Units	134	92
Total Office/Retail Space	19,454	10,274
Lot Coverage - Buildings	38%	24%
Lot Coverage - Paving	48%	39%
Coverage Cumulative	86%	63%
Minimum Landscape Area	14%	37%
Primary Building Side Setback min (ft)	65-75	21.3
Primary Building Front Setback min (ft)	75.00	81.9
Primary Building Rear Setback min (ft)	50.00	188
Accessory Building Side Setback (ft)	5.00	10
Accessory Building Rear Setback (ft)	5.00	10
Maximum Height Primary Building (ft/m)	37/8 - 48/1	34/9
Maximum Height Accessory Building (ft)	15	23/7
Property Size (sq. ft)	137,254	137,254
Min. Lot Frontage (ft)	335-7"	335-7"

Parking Requirements

	Approved (old)	Proposed (new)
Retail Parking (250 SF per space)	37	41
Office Parking (400 SF per space)	26	-
Residential (1 space per first unit/building)	3	8
1.5 spaces per remaining units	196	126
Subtotal Spaces Required	262	175
25% Reduction for Mixed Use	-65	-43
Total Spaces Required	197	132
Total Spaces Provided	203	168

The differences between the old and new site plan for Salida Crossings can be noted in the images (above) and table (left). The old site plan consisted of three large mixed-use buildings that were four stories tall and clustered in the center of the site. The corridor between buildings was a landscaped common area while the remainder of the site was designated as parking. Compared to the old site, which had a density of 42.5 du/ac (see table), the new site layout has a density of 28.6 du/ac and 23% less cumulative coverage. Two smaller mixed-use building types are positioned near the entrance and are only 3 stories. Townhomes wrap around the rear perimeter while the parking is strategically located throughout the site to serve both retail and residential uses. While this site layout has 42 less units and 9000 SF less retail/office space, it offers a more aesthetically pleasing and livable environment with a greater diversity of housing types that will enhance the HWY 50 corridor through Salida.

Downloaded from <https://www.cambridge.org/core>. University of Cambridge, on 04 Jun 2021 at 12:22pm

**NOTICE OF PUBLIC HEARING BEFORE THE CITY COUNCIL
FOR THE CITY OF SALIDA CONCERNING A
PLANNED DEVELOPMENT MODIFICATION (TIME EXTENTION)
APPLICATION**

TO ALL MEMBERS OF THE PUBLIC AND INTERESTED PERSONS: PLEASE TAKE NOTICE that on October 4, 2022 at or about the hour of 6:30 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 on an application submitted by BV Investments, LLC for a modification (time-extension) for the Salida Crossings Planned Development. The 3.15 acre property is located at 1520 E. Highway 50 and legally described as “A portion of the SW ¼ of the NW ¼ or the SW ¼ Section 4, Township 49 North, Range 9 East of the New Mexico P.M. County of Chaffee, State of Colorado”.

Interested persons are encouraged to attend the public hearing in person or online at <https://attendee.gotowebinar.com/rt/1909092342220683277>. Further information on the application may be obtained from the Community Development Department, (719) 530-2634.

*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 in-person or via the above GoToWebinar link so your comments can be made part of the record.

