



STAFF REPORT

MEETING DATE: July 24, 2023

AGENDA ITEM TITLE: Wood Minor Subdivision - 2 – Limited Impact Review

AGENDA SECTION: Public Hearing

REQUEST:

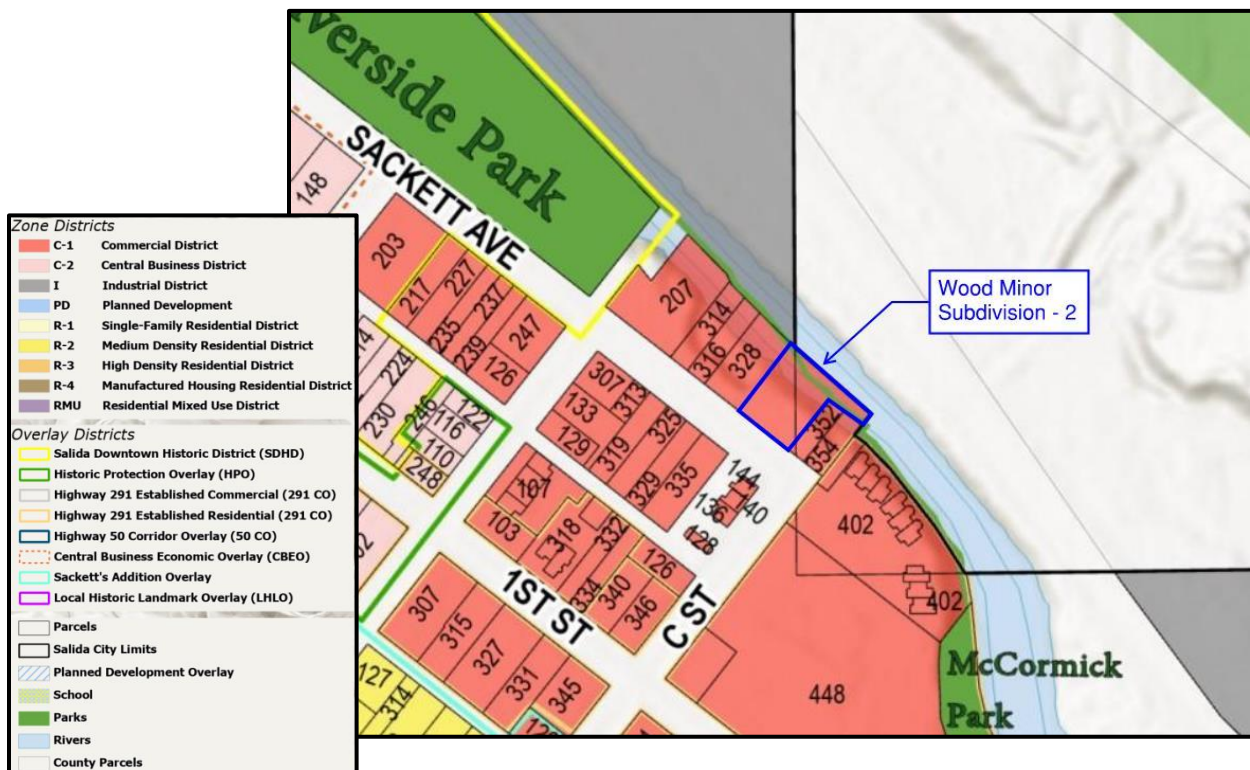
The request is for limited impact review approval to subdivide the parcel known as Tract A-1, Wood Minor Subdivision, into two (2) parcels.

APPLICANT:

The applicants are John Wood and Kristina Wood, 223 Two Rivers Road, Salida, CO 81201.

LOCATION:

The subject property is known as the Wood Minor Subdivision - 2 and is described as: Tract A-1 of the Wood Minor Subdivision, City of Salida, Chaffee County, Colorado. The property is in the Commercial District (C-1) zone.



This application is a limited impact review process for a minor subdivision. The purpose of the limited impact review is to assure that the proposal, in adequate detail, is drawn and submitted according to the requirements of the Land Use Code.

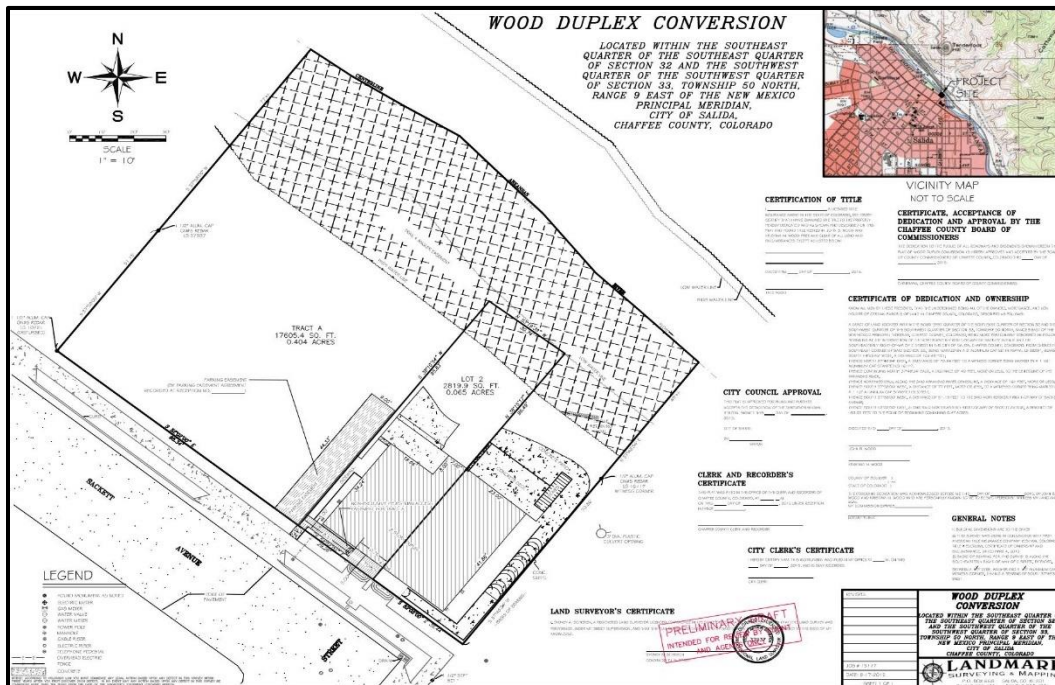
Approval of the minor subdivision shall constitute authorization to proceed with recording the plat and commencing with the Subdivision.

- 1) The site is zoned Commercial District (C-1) and is not within any overlays.
- 2) The site is surrounded by the Commercial (C-1) zone district. Immediate land uses are residential in character. A block away is the C-1 zoned Riverside Park and Toubert Building.
- 3) The minor subdivision is required because the applicant is proposing two (2) parcels on the existing parcel.

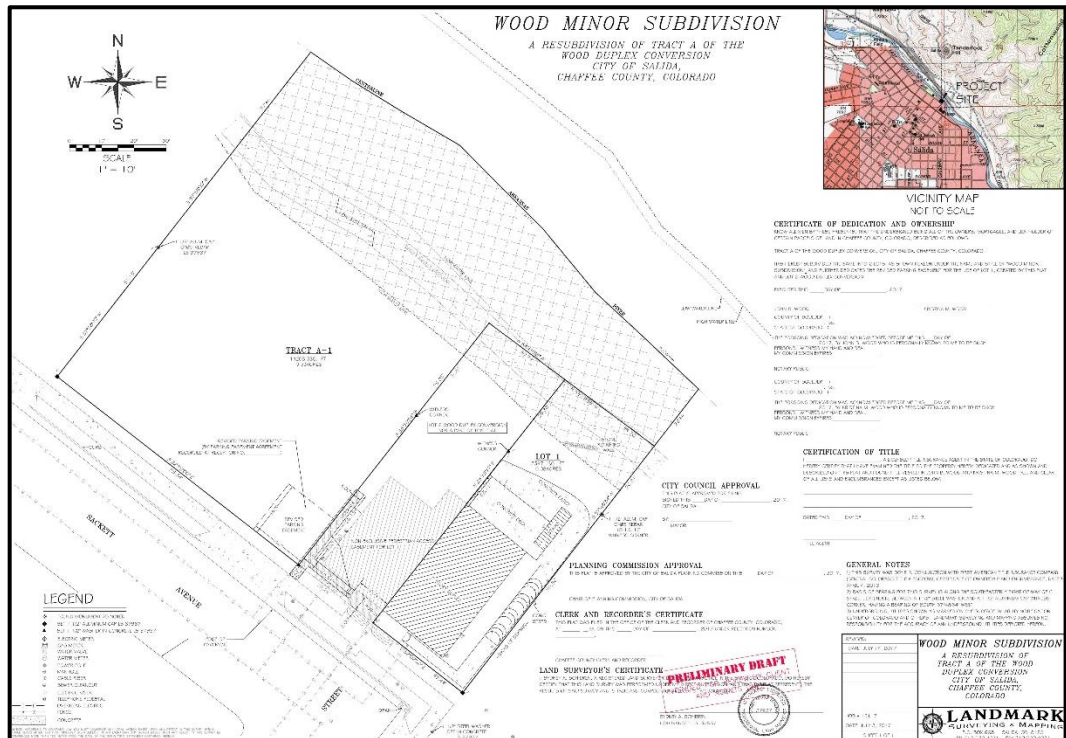
On July 2, 2013 Ordinance 2013-14 was adopted by City Council on second reading for .33 acres of the Wood Annexation. The annexation included a significant portion of the duplex at 352 & 354 E. Sackett Avenue along with a small portion of East Sackett Avenue. A trail and angler easement was dedicated along the Arkansas River, satisfying future parks, trails, and open space fees for up to five (5) additional units in association with any future development of the Wood Annexation.



On January 21, 2016 Wood Duplex Conversion Subdivision was recorded with the County Clerk and Recorder. This subdivision created a new lot line along the code-compliant party wall of the duplex, creating Tract A and Lot 2 (352 E. Sackett Avenue).



On August 28, 2017 the Planning Commission approved the Wood Minor Subdivision, subdividing Tract A into two (2) parcels. The subdivision created Lot 1 (354 E. Sackett Avenue) and Tract A-1. Tract A-1 is 14,208.35 square feet and is the subject parcel, if approved, to be subdivided with this application.



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

1. **Conformance with the Comprehensive Plan.** The proposed subdivision shall carry out the purpose and spirit of the Comprehensive Plan and conform to all of the Plan's applicable objectives, guiding principles and recommended actions. It shall be designed to be compatible with surrounding land uses and to protect neighbors from undesirable noise, glare and shadows, and shall not cause adverse effects on their privacy, solar access and views.

- The Comprehensive Plan Land Use Map (3.1) identifies this area as medium density residential and County Lands. The two identified land uses are due to the timing of the annexation and adoption of the Comprehensive Plan. In chapter 3, Land Use and Growth, Medium Density Residential encourages infill, redevelopment and maximizing the density allowances. The proposed minor subdivision creates two (2) parcels that encourage infill development.
- The proposed parcels are zoned Commercial District (C-1) which are compatible with adjacent zoning and residential properties. The parcels proposed are in conformance with the land use code and will support development similar to existing homes in the area.

Policy LU&G-1.2: Infill and redevelopment should be encouraged and will advance the objectives of this plan.

- The property is a vacant parcel near the Central Business District (CBD). If density is maximized, proposed Parcel 1 could allow up to two (2) units and proposed Parcel 2 could allow up to three (3) units. Approval of the subdivision would offer greater opportunity for infill.

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

- This subdivision proposal makes better use of available infrastructure than the single tract today. In the future, if proposed parcels are to be developed, a maximum of 5 new units may be built along with ADU's on each parcel.
- Realistically, maximum developability would be difficult to achieve due to the flood zone and trail & angler easement along the rear of the parcels.

2. **Complies with the Zone District Standards.** The proposed subdivision shall comply with the use and dimensional standards of the underlying zone district and shall provide off-street parking as required for those uses.

- The newly created parcels are zoned Commercial District (C-1). The lot size and lot frontage standard have been met. The minimum lot size in the C-1 zone district is 5,625 square feet and the minimum lot frontage is 37'-6".

- New development must comply with the zone district standards. In the C-1 zone district, a multitude of commercial and residential uses are an Administrative Review, according to Table 16-D of the Salida Municipal Code.
3. **Design Standards.** The proposed subdivision shall be provided with improvements which comply with Article VII and landscaping which complies with Section 16-8-90 of this Chapter.
- a. Streets. Existing and proposed streets shall be suitable and adequate to carry anticipated traffic within and in the vicinity of the proposed subdivision.
 - The existing street is suitable for the proposed subdivision.
 - There is currently curb, gutter, and sidewalks along the street frontage.
 - Due to the lack of an alley for off-street parking access, plat note #6 states, “At the time of development. Applicant to work with Public Works on access and utility service locations.”
 - b. Utilities. Existing and proposed utility services shall be suitable and adequate to meet the needs of the proposed subdivision.
 - Adequate utilities are in place to serve the newly created parcels within this subdivision. Both water and sewer are available in East Sackett Avenue.
 - Xcel Energy recommends the subdivision dedicate a 5’ public utility easement along the frontages of Parcel 1 and Parcel 2, as shown on the plat.
 - 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 are no development plans with this application.
4. **Natural Features.** The layout of lots and blocks shall provide desirable settings for structures by making use of natural contours and maintaining existing views, affording privacy for residents and protecting them from adverse noise and vehicular traffic. The system of roadways and the lot layout shall be designed to take advantage of visual qualities of the area. Natural features and native vegetation shall be preserved whenever possible. Tree masses and individual trees of six-inch caliper or greater shall be preserved.
- Any future development shall preserve existing trees to the best of their ability.
5. **Floodplains.** Tracts of land or portions thereof lying within the one-hundred-year floodplain may only be subdivided for open space until the subdivider has shown that compliance with the requirements of the City’s floodplain regulations can be met.
- Proposed Parcel 1 and Parcel 2 go to the centerline of the Arkansas River. Any development must meet Article 11, Flood Control, of Chapter 16 of the Municipal Code.

- Any landscape alterations or development within the flood zone will have to apply for a floodplain development permit with the Floodplain Administrator, proving no impact to base flood elevations.
6. **Noise Reduction.** Where a subdivision borders on or contains a highway right-of-way, the City shall require adequate provisions for reduction of noise. A parallel street, landscaping, screening, easement, greater lot depth, increased rear yard setbacks and fencing are potentially appropriate solutions, among others.
- This subdivision does not border a highway right-of-way.
7. **Future Streets.** When a tract is subdivided into lots or parcels which are intended for future resubdivision, such lots or parcels shall be arranged so as to permit the logical location and opening of future streets and appropriate resubdivision, with provision for adequate utility easements and connectors for such resubdivision.
- No future streets are anticipated if this should be resubdivided in the future.
8. **Parks, Trails and Open Space.** Each subdivision, minor or major, or condominium project with five (5) units or more, shall dedicate and develop land or pay a fee-in-lieu for the purpose of providing active parks, open space, passive recreation facilities and/or recreation trails or other public purposes as determined by the City for the benefit of those who occupy the property and be made accessible to the public. The intent of this regulation is to ensure that a comprehensive, integrated network of parks, trails and open spaces is developed and preserved as the community grows.
- In the Wood Annexation agreement (Resolution 2013-39) that was entered into on July 16, 2013, John and Kristina Wood agreed to dedicate a perpetual trail easement for recreational use along the South Arkansas River as shown on the Annexation Plat. The final design and location of the trail will be mutually agreed upon by the parties. Such dedication and construction shall be in satisfaction of any future parks, trails and open space fees required for future development of the Property to include not more than five (5) additional units. Owner shall dedicate a non-exclusive easement for fisherman access between the trail easement described and the centerline of the Arkansas River (being the north boundary line of the property).
 - The completed concrete Salida River Trail runs along the rear of Parcel 1 and Parcel 2.
 - Plat note #4 states: "Pursuant to Resolution 2013-39, the dedication of the trail and angler easement satisfies future parks, trails and open space fees for up to 5 additional units in association with any future development of the Wood Annexation."
9. **Common Recreation Facilities.** Where a development is proposed to contain common recreation facilities, such facilities shall be located within the development so as to be easily accessible to the residents and to least interfere with neighboring developments.
- There are no development plans with this application.

10. Lots and Blocks.

- a. Pattern. The size, shape and orientation of lots shall be appropriate to the design and location of the proposed subdivision and to the type of development contemplated. Where appropriate, lots shall be laid out to respect the existing City pattern. Blocks generally shall not be less than three hundred (300) feet nor more than one thousand two hundred (1,200) feet in length.
 - The proposed parcels follow the city grid pattern.
- b. Frontage. Residential lots should front only on local streets; however, when necessary, lots designated to face a collector street shall provide adequate means for automobile turnaround within the lot and should provide consolidated access points to the maximum extent feasible.
 - This standard has been met.
- c. Right angles. Side lot lines shall be approximately at right angles or radial to street lines.
 - This standard has been met.
- d. Double frontage lots. Double frontage lots are prohibited, except where they are necessary to provide for the separation of residential development from collector or arterial streets or to overcome specific limitations of topography or orientation. A planting and screening easement of at least ten (10) feet shall be provided along the portion of the lot which abuts such a collector or arterial street. There shall be no right of access across a planting and screening easement. The screening easement shall be maintained by the property owner.
 - Double frontage lots are not proposed.
- e. “T” intersections. The building area of lots shall not face directly into the oncoming traffic of an intersecting street of a “T” intersection.
 - There will not be any building areas facing a “T” intersection.
- f. Solar energy.
 - Proposed Parcel 1 and Parcel 2 will have solar exposure from the southwest.

11. Architecture.

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

12. Fair Contributions for Public School Sites.

- Any new residential units built on the lots will be required to pay the fee in lieu at the time of building permit application. Plat note #3 states: “Pursuant to Section 16-6-140, Fair Contributions to Public Schools Sites, as may be amended, at the time that a residential dwelling units are constructed on any of the lots herin, a payment in lieu of land dedication for fair contributions to public school sites shall be paid by the owner of each lot within this subdivision prior to issuance of a building permit for any new residence on such lot.”
- Fair Contribution for Public School Sites include ADUs in the fee schedule.

13. Inclusionary Housing. – 16-13-20 – Minor subdivisions are required to include at least sixteen and seven-tenths (16.7) percent of the total number of residential dwelling units pursuant to requirements set forth in this Article.

- All future residential development must meet the current requirements of Article XIII of the Salida Municipal Code regarding Inclusionary Housing which may require deed restricted affordable housing and/or fees-in-lieu.
- Plat note #5 states: “Pursuant to Section 16-6-30 of the Salida Municipal code, the subdivision must meet the requirements of Article XIII, Inclusionary Housing.”

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

Finance Department: “Salida Utilities has no issue with the property being subdivided. Currently there are no utilities on the property. Upon development the system development fees will need to be paid.”

Salida Fire Department, Kathy Rohrich, Assistant Chief: “No concerns at this time.”

Salida Police Department, Russ Johnson, Chief: “No issues at this time.”

Public Works Director, David Lady: “No concerns. Please provide the note: applicant to work with public works on drive and utility service locations at time of development.”

Excel Energy, Christopher Moffett: “This needs 5’ front lot public utility easements so we can serve them.”

Atmos Energy, Dan Higgins: “No concerns.”

Salida School District Superintendent, David Blackburn: “We will accept fees in lieu of land.”

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

1. The application complies with the comprehensive plan and the proposed subdivision shall carry out the purpose and spirit of the comprehensive plan and conform to all of the applicable objectives, guiding principles and recommended actions.
2. The applicant has complied with the review standards for subdivisions.

REQUIRED ACTIONS BY THE COMMISSION:

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

STAFF RECOMMENDATION:

Staff recommends the Planning Commission approve the minor subdivision application.

RECOMMENDED MOTION: “I make a motion to approve the Wood Minor Subdivision - 2 as it meets the review standards for a subdivision.”

Attachments:

1. Application for Minor Subdivision
2. Wood Minor Subdivision - 2 Plat
3. Agency Review
4. Proof of Publication