

September 11, 2023

RE: 6907 County Road 105

To: Members of the Salida Planning Commission and City Council:

I am writing to express my opposition to the Gartzman proposal at 6907 CR 105.

I neighbor this project immediately to the North. My land has been developed around on all sides, and while these changes are personally unappealing to me, I have offered my support to each of these developments to the degree that they make sense and meet the needs of our community. I do not approach this process from a "Not in my backyard" mentality, I hope that council can recognize my interest in creating a community that works for everyone. For a town to have character, characters must have a place to live.

My objection to the Gartzman project has several aspects.

First, I am concerned about the process the city is following as they mingle a future land use map, with their examination of this project in particular. Choosing to have these two processes proceed in parallel, and indeed even at the same meeting, creates an appearance that this project is not being held to the standards that have been agreed upon and are in place at the time of the proposal, but rather to a more favorable future land use designation that was not in place when this proposal was made.

Furthermore, placing requirements for future development density into a Future Land Use Map misses the public involvement that would have been required for a revision to land use code. This approach sidesteps the process that should be a part of shaping our community in the near and distant future.

Second, while I recognize that the August 14 joint City Council and Planning Commission work session was not required to be notified to adjacent landowners, having that meeting without involving neighbors does not create an atmosphere of trust among those who will be so heavily impacted by the outcome, nor does it allow the City to get the feedback of people who are already living in this area.

Regarding the details of the proposed development specifically, while I understand that the Gartzmans are seeking a Planned Development Overlay, residents of the City and County have a right to expect development to happen within the boundaries of existing land use code. Doing "spot zoning" where new rules are made for every development is unfair to neighbors who have a right to know what they might have to live next to, unfair to other developers who may be treated differently, and unfair to the citizens and staff who worked on developing a land use code in the first place.

As proposed, this project asks for a variance on essentially every important aspect of code: density, height, lot size, lot frontage, height, setback, coverage, and green space to name a few. What are the rules for, if not this situation? Creativity to allow development to fit a particular site is one thing, this is another. These requests are unreasonable and I do not support any variance in any of these areas. R-3 high density zoning is what was requested at the time of annexation and the development should proceed within the confines of that code. 41 units on 2 acres is very high density compared to almost everywhere else in our city, a request for 69 should not even get a reading.

Furthermore, as proposed, this project puts a three-story high density apartment complex within 20 feet of my historic ranch homestead. At a personal level, it means I would lose my ability to see the mountains to the South of my home and upper story residents could see into my home, but at a communal level, this ruins the pastoral flavor that most residents and visitors love. Nearly every day, I watch people taking pictures of the historic structures on my property with mountains in the background, now they would be taking a picture of someone's deck. On one hand, we all recognize the importance of attainable housing as our community grows, but on the other, are we willing to sacrifice the historic and natural qualities we love to accomplish that? I would argue for a middle path, this proposal is an extreme one.

If developed as proposed, Vandaveer Road would have three of the highest density projects in the County immediately adjacent to each other. This will create a myriad of issues, from practical ones like parking (already a problem due to the variances allowed at the Magpie) and traffic on CR 105, to the communal, like overuse of parks and open space.

In addition, this proposal would further an issue where different economic classes in our community are effectively geographically segregated. We should be thinking about how people will live, work, and play together over decades to come, and I suspect a standalone district of high density will not age well. There should be more to city planning and creating community than placing development where the sewer is convenient to access.

Finally, the extent to which this proposal does not conform to code must not be used as a new standard of comparison. There is no midpoint between this unreasonable request, and the R-3 zoning the developer sought in annexation. What is proposed here is essentially creating a new zoning category on an ad-hoc basis without any public process, which is wrong on every level. The number and magnitude of variances sought are an attempt to end run around the zoning and codes we have in place, and even a revised proposal that lessens the degree of variance does not address that concern. I'm sure this process will continue with updated versions of the plan, the question that must be asked at each step is how this version relates to R-3 zoning, not how it relates to the previous version.

I would welcome a meeting where those of us who neighbor this proposed development could meet directly with the developer and the City, to learn the facts about this project and have a chance to make direct comments and look for common ground.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ned Suesse', with a long horizontal flourish extending to the right.

Ned Suesse
6953 CR 105
Salida, CO 81201
ned@nedsuesse.com

Date: October 16, 2023

To: Members of the Salida Planning Commission and the Salida City Council

From: Paige Judd

Re: The Flour Mill Planned Development

As a neighbor of the Flour Mill project, I have some concerns about the project. My husband Joe and I own The Magpie Apartments at 6906 Vandaveer Ranch Road. We share a property line along the west edge of the Flour Mill property.

The Magpie property is zoned R-3 and meets the dimensional standards for this zoning. We met the 10' side setbacks and the 15' setbacks. Our 32 apartments rent between 70% and 73% AMI. We have created a nice, comfortable home for 48 people who live and work in Salida. There are aspects of the Flour Mill project that will impact the residents of The Magpie which I want to discuss.

I will not be able to attend the October 23 meeting, so I am sending you my comments. Please feel free to reach out if you have any questions.

Here are my concerns.

Density

The developer is asking for a project density of 1263 square feet per dwelling, and the standard for R3 is 2100 square feet per dwelling. The 2 acre property could hold 41 dwellings by right, so 69 units is well over 50% more dense than R-3 allows. This is a HUGE increase in density over the standard, and will impact the neighbors in many ways. This increased density naturally leads to every other deviation from the standards that follow: maximum lot coverage, setbacks, building height, and parking. This project is on the very fringe of town and does not match the neighboring properties, which are much less dense.

Setbacks

The developer is asking for a 10' rear setback for lots 11, 12, and 13. These buildings are going to be built along my property line. The code calls for a 20' rear setback, and the developers are also asking for a height variance on these lots. The combination of a smaller setback and a height variance will definitely impact our tenants who live along that property line in a negative fashion. I strongly request that these buildings are held to a 20' rear setback, as is the standard for R-3. If you decide to allow them to build a 38'

tall building 10' from my property line, I request that the developers build an attractive 6' privacy fence to give my tenants at least a modicum of privacy. I can live with the 38' if the buildings are 20' from my property line.

Parking

At The Magpie we have a lot of couples choosing to live in 1 bedroom apartments which is unexpectedly higher than our other projects. We do not have enough parking, and we have many tenants who park on Vandaveer Ranch Road. We have an average of 1.375 cars per one bedroom apartment, and 1.4375 cars per two bedroom apartment (averaging 1.4 cars per dwelling). Assuming a similar mix for The Flour Mill project, the 69 dwelling units will require about 97 parking spaces, and they are providing 76. This means that there may be up to 21 cars parking along Vandaveer Ranch Road and County Road 105. That is a lot of cars to be parking along rural roads, and I am only bringing it up so you can anticipate what that might look like.

It is not legal for landlords to select a one person household over an equally qualified two person household based solely on the number of people in the household. When I spoke with the developer about this, he indicated that it may be possible for deed restricted projects to put a limit on the number of people who live in an apartment or condo if it is written into the deed restriction at the beginning. I suggest that this option be pursued for the safety of those who park (and drive) on rural roads that are not designed for on street parking.

Joe and I have been supporters of making it easier to build affordable housing in Salida for many years. We have followed the rules of our properties' zoning and designed our 3 apartment complexes to fit in with the homes that neighbor our projects. We have done this and provide 70 apartment rentals that rent between 63 and 83 percent of AMI.

I understand that when a developer undertakes a Planned Development they can ask for adjustments to the Dimensional Standards for their particular zoning. This project is asking for many exceptions to the standards, and I feel that many of these are going to negatively impact our tenants.

I invite you to take a trip to 6906 Vandaveer Ranch Road. The property line we share with The Flour Mill project is clearly marked with straw bundles that were put in place during construction to control runoff. Step off 10', and look up 38' and think about how you would feel if this was your home. Those buildings are too close, and too tall.

I support this project in many ways. If the buildings on lots 11, 12 and 13 are 20' from

my property line, I can live with the rest. If they are allowed to build 38' tall buildings 10' from my property line, I will be very disappointed in the process and the outcome.

Thanks for listening.

Paige Judd
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From: [Simonne L](#)
To: [Kristi Jefferson](#)
Cc: [Bill Almquist](#)
Subject: Flour Mill Project
Date: Friday, November 17, 2023 1:34:53 PM

Some people who received this message don't often get email from ssll444@gmail.com. [Learn why this is important](#)

Good Day,

I am enclosing a letter that I would ask you to share with the Salida City Council members as well as anyone involved in decision making for the Flour Mill Project. Many thanks!
Simonne

Thank you for your time and consideration of the Flour Mill project on County Rd 105. The careful consideration of this project is so important in many ways as once action is taken, there is no turning back.

First and foremost, there's the ever present problem of insufficient affordable housing which has been an issue nationwide for decades and even more so now. The combination of seasonal employment and minimum wage jobs coupled with higher rents caused by the housing shortage has resulted in an untenable situation. Many are eking out an existence by spending more than half of their incomes on rent, or the more dangerous alternative of living out of their cars. This is certainly no way to live and communities must come together as a whole to address this issue. There is no single solution for this problem.

The existing market of high priced properties, exorbitant building costs and higher interest rates has made the contemplation of building a precarious one. Rob Gartzman's purchase of a 2 acre parcel on County Rd 105 for \$800k for the purpose of alleviating the affordable housing issue is both altruistic and unrealistic. Rob should be applauded for his efforts to locate an affordable property to build his complex. There are few who would go to the lengths he has to help others. Due to the unavailability of land for sale, Rob settled on this 2 acre property (from his accounting) for the exorbitant price of \$800k due to its proximity to the scenic Arkansas river. The price of the land coupled with high interest rates, and building costs being at an all time high have made the Flour Mill project a precarious financial gamble. As a result, Rob has requested many variances including vastly increasing the number of housing units to compensate.

Unfortunately, the variances to existing codes are extensive and far exceed city R3 allowances. This is problematic in various ways. Not only does this level of density foment higher crimes rates, it sets a precedent for further building projects of this type which leads to large scale overcrowding. When allowances of this scale are made once, it's opens a door that is not so easily closed. Please consider the Magpie subdivision next door where the builders followed city codes yet

still have parking shortages where the overflow narrows Vandever road making driving through difficult on a daily basis. Then compare that to the proposed excessive variances requested by the Flour Mill and you can imagine the problems that would arise. Also, the large increase in traffic would be problematic for the one and a half lane bridge that crosses the Little Arkansas on CR 105.

The final straw on the proverbial back of this project is the fact that it truly does not provide “affordable housing” for the community. The lowest rental presented by the Flour Mill project was a 471sqft studio apartment for \$1,600/mo. The majority of rentals that appear in the market fall well below this amount for a studio.

Also, in order for a person to be able to afford this rent, they would need to earn over \$60,000/yr.

Please see the guide below from apartmentalist.com

How Much Rent Can I Afford On My Salary?

Need a quick and easy look into how much rent you can afford? Here's an idea of the ideal rent for

various salaries, based on the 30% rule.

- On a \$30,000 a year salary, your ideal rent price is \$750.
- On a \$40,000 a year salary, your ideal rent price is \$1,000.
- On a \$50,000 a year salary, your ideal rent price is \$1,250
- On a \$75,000 a year salary, your ideal rent price is \$1,875
- On a \$100,000 a year salary, your ideal rent price is \$2,500

As mentioned before, the 30% rule should act as a rule of thumb.

Very few seasonal or minimum wage earners would be able to afford the smallest of units at the Flour Mill.

Unfortunately for Mr. Gartzman, it appears he has fallen upon a perfect storm of events with the combination of high property prices, high interest rates and exorbitant building costs. I sympathize with Mr Gartzman who is trying to do well by the community, but it's just not possible to accomplish that goal within the current circumstances.

With these facts mind, it would be a travesty to approve a 60% increase in density for a rural area that was just approved for a sufficiently high R3 density and is slated for further development nearby.

Also, setting a precedent of allowing this magnitude of variances would be detrimental to the community as a whole in the future.

With these concerns in mind, I implore you to please deny the current variances requested for the Flour Mill subdivision and require that they stay within the R3 code requirements.

Thank you again for your time and consideration,

Simonne-L Laylin

DATE: 11-17-2023

TO: SALIDA PLANNING COMMISSION, SALIDA CITY COUNCIL, SALIDA PLANNING AND ZONING DEPARTMENT

FROM: Steve Shuey

RE: FLOUR MILL SUBDIVISION APPLICATION

I am writing this letter to voice my concerns and objections to the Flour Mill Development project.

The Planning Department's October 23rd finding of "no adverse effect" and the commission's unanimous decisions on the annexation and R3 zoning recommendation made it clear that no one is considering this project from the viewpoint of the County Road 105 residents, or for that matter, the viewpoint of any residents of rural Chaffee county that will be affected by the precedent set if this application is approved. Had it not been for the exorbitant number of requested deviances, resulting in an extreme density well above that allowed by R3 zoning, I believe this application would have breezed through the commission. Commissioners justified the rezoning by referring to this area as the municipal services area and commenting that R3 is reasonable given what's already around this parcel. It seems the planning commission is forgetting that four adjoining neighbors, constituting 50 percent of this parcel's boundaries are rural residential properties each larger than 1.5 acres, most with single family residences. This lot is not Salida's municipal services area. It's a rural residential area. I can assure you that there are adverse effects to the long-standing residents of County Road 105, and there will be future adverse effects to the flour mill residents, it's neighbors and those affected because of future projects like this that use the Flour mill as their precedent.

The commissioners expressed understanding that loss is hard, even if it's just loss of a view. My parents, Willis and Janene Shuey made many sacrifices and worked hard for many years to acquire their dream property. That dream property at 6922 County Road 105 is 1.7 acres with a long riverfront, a river view and a beautiful view of the collegiate peaks. Dad worked many double shifts as a mechanic at the Climax Mine and did mechanic work on the side to make ends meet. Mom worked in the school district full time as well as keeping up with the family and home applying much of their savings into this property. If you make the decision to approve the Flour Mill project, remember its not "just a view" my parents are losing. Its part of a lifelong dream for which they sacrificed and worked very hard.

The Flour Mill proposal appears to be an altruistic, but single-minded and short-sighted idea driven by the acknowledged need and pressure to provide low income housing for the workers of Salida.

This project disregards not only the rural residential character of the lots on which it is proposed, but also the restrictions specified by proposed R3 zoning. Based upon the meetings so far, it appears that the City of Salida is pushing hard for affordable housing to the point where its willing to annex rural county property, change zoning from rural residential to high

density and entertain numerous deviations to those code restrictions to allow even higher densities within, and immediately adjacent to, a rural residential community. Magpie managed to create affordable housing without blatantly destroying the character of the neighborhood. The Flour Mill is the polar opposite and should not be forced through just because the developer chose to pay too much for this parcel and the economics don't make it feasible without extreme deviations to a high-density zoning code that is in itself inappropriate for this parcel. If the City of Salida truly wishes to create affordable housing, why not donate or discount city owned property in the municipal services area near Highway 50 for this project? Why force this on the backs of County Road 105 residents who have already had to endure a change to R3 zoning?

Historically, humans do not thrive in high density situations. Additionally, high density, low income housing does not age well and has increased crime, especially domestic. Please do not vote to create 'the projects' of Salida. Instead, find a more appropriate location with enough acreage that the affordable housing can be built in a fashion where it is healthy and safe for its residents and neighbors. Subsidize the project Salida is so keen to push instead of forcing a small rural community to bear the burden of city ideals. Take a really close and realistic look at what approval of this application will look like a few years down the road. Compare that to what it will look like if done correctly, in the right location. Is this really what Salida wants, just to create a human warehouse of studios that really are not affordable for the local workers? I think not.

RE: 6907 County Road 105

To: Members of the Salida Planning Commission:

I am writing a follow up to my letter of September 11 to address new information that has emerged since the last planning and zoning meeting.

I'd like to express my gratitude to this Commission, and to the developer, and to my neighbors, for continuing a civil and respectful process in which we all wrestle with some difficult questions about the character and future of our town. Throughout the process, all parties have been able to see the point of view of those with whom they disagree and I very much appreciate living in a town with that civil and inclusive attitude.

I remain in opposition to the Flour Mill project. The points I made in my initial letter stand, however there are a few new points of information I want to add to the record.

First, the initial Planning meeting was the first time I saw the 3D renderings of the Flour Mill project. My home, and the Magpie apartments were not shown in relation to the new buildings which seems misleading. City code regarding PDO includes the language *"In no case shall a building exceed the maximum height requirement if the deviation shall result in: a. Adverse visual impacts on adjacent sites"*. I find it hard to believe anyone could say this proposed development, with both modified height and setback, would not have an adverse visual impact on my property and the Magpie apartments, not to mention other neighbors further away.

On this basis alone, I believe that council should vote against the PD proposal as it stands, as *"In no case"* doesn't leave room for interpretation.

Second, in the meeting on October 23, the developer was adamant that there was no possibility of affordable housing at any lower density than proposed. I wanted to understand this claim better, so I did a little research.

The Magpie, Salida Ridge, and Confluent apartments were all built during or after Covid, with the attendant rise in price for both materials and labor. Each of these developments had to endure the costs of building in the Salida market with at least the same material prices that exist today. These apartments all fall more or less in line with our land use code, and the rent they charge is lower than what is proposed for this development. These points of fact call into question whether 169% density is truly necessary to achieve inclusionary housing, or whether experienced developers can work within the rules to achieve inclusionary housing.

Along these financial lines, the neighbors and I spoke with the developer on Friday, the 10th of November, and in that call he mentioned willingness to look at fewer units, with a proposal for 60 units (still more than 41). He also revealed the budget for his project, which implies a cost per square foot in the \$300 range. I checked this with several commercial builders and they all felt this was a generous estimate for a project of this type, where there are many efficiencies of

scale relative to single family construction. The deed restricted for sale units will be sold for more than \$500 per square foot. Each deviation that is being requested amounts to a subsidy from the community to the developer, in the form of spreading the cost of land and improvements across more units. The cost of this subsidy, in the form of quality of life, views, safety on the street, and diminished value of our homes, is disproportionately carried by myself and my neighbors. The developer is offering something that the community feels is valuable, and we agree, but we are not willing to carry this burden alone, nor should we be asked to.

We are all focused on the acute need for inclusionary housing right now, but we must not forget that when a project is allowed to go forward, it creates a precedent for what others will be able to do in the future. If this project proceeds so far out of bounds with density, height, setback, and more, I believe we are inviting those deviations again in the future as they will always make development more profitable. It will be hard for the city to say yes only once.

Our community needs to have a conversation about these questions that goes beyond what can happen in 2 or 3 meetings for a proposed development. These are strategic questions about the long term feel of our community, not tactical ones about a single 2 acre parcel.

I saw the PZ board wrestling with the implications of these deviations at the last meeting, and I think the only reasonable response today is to recommend against this application in current form, and request the developer return with a proposal in line with land use code. Voting to approve this PD application is using a transactional approach to solving a systemic problem, and while I understand that both the developer, and anyone on staff or council that supports the application is doing so with good intention, there's an old saying about where that road leads.

Approving this application as it stands would lead to a fundamental change in the character of our town.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ned Suesse', with a long horizontal flourish extending to the right.

Ned Suesse
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