



CITY COUNCIL ACTION FORM

DEPARTMENT	PRESENTED BY	DATE
Planning	Franco Palumbo - Planning Technician	November 15, 2022

ITEM

Ordinance 2022-23: First reading and setting a public hearing on proposed zoning of Commercial District (C-1) for the Stringer Annexation.

BACKGROUND

The applicants, Paul and Rebecca Stringer, submitted an application to zone the Stringer Annexation site located at 1730 Holman Avenue as Commercial District (C-1). The request was heard by the Planning Commission on November 08, 2022 and the Commission recommended approval of the request.

SURROUNDING LAND USE AND ZONING: The site is currently zoned RES (Residential Zone District) in Chaffee County. The property immediately to the north remains in Chaffee County and is also zoned RES. The properties to the south and west are within the city limits and are zoned Commercial District (C-1). Directly across Holman Avenue is Centennial Park, with a zoning designation of Commercial District (C-1). Properties going north along Holman Avenue are a mix of Commercial District (C-1) and Medium Density Residential District (R-2).





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REVIEW STANDARDS FOR MAP AMENDMENTS (Section 16-4-210):

1. **Consistent with Comprehensive Plan.**

The proposed amendment shall be consistent with the Comprehensive Plan.

- The property in close proximity to the Highway 50 corridor and situated along one of five (5) total collector streets identified in The Comprehensive Plan.
- The zoning of C-1 would be consistent with the zoning found in the adjacent parcels to the south and west, this would continue the regular pattern of zone district application.



2. **Consistency with Purpose of Zone District.** The proposed amendment shall be consistent with the purpose of the zone district to which the property is to be designated.

- Per the land use code, the purpose of the Commercial (C-1) zone district is to provide for commercial and service businesses in a pattern that allows ease of access by both vehicles and pedestrians. Typically, residential uses are administrative reviews within a C-1 zone district. Areas designated Commercial (C-1) are located primarily along the City's main entrance corridors.
- The parcel being annexed has a single-family residence. The applicants have indicated that there are no plans for future development on the property.
- Staff supports the request to zone the subject property as Commercial District (C-1).



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3. **Compatibility with Surrounding Zone Districts and Uses.** The development permitted by the proposed amendment shall be compatible with surrounding zone districts, land uses and neighborhood character.
- The zoning classification of High Density (R-3) is consistent and compatible with the zoning of the adjoining Angel View property and properties to the east of the property.
4. **Changed Conditions or Errors.** The applicant shall demonstrate that conditions affecting the subject parcel or the surrounding neighborhood have changed, or that due to incorrect assumptions or conclusions about the property, one (1) or more errors in the boundaries shown on the Official Zoning Map have occurred.
- The proposed zoning is occurring because of the requirement to zone the property when annexed into the City in accordance with Section 16-4-50 of the Land Use and Development Code.

PLANNING COMMISSION RECOMMENDATION

A public hearing with the Planning Commission was held November 08, 2022 and the Commission recommended Council approve the proposed zoning of the site as Commercial District (C-1).

STAFF RECOMMENDATION

Staff recommends approval of the proposed zoning of the Stringer Annexation site as Commercial District (C-1).

SUGGESTED MOTION

A council person should make the motion to “approve Ordinance 2022-23 on first reading and set the second reading and public hearing for December 06, 2022.”

Attachment: Ordinance 2022-23
Application materials

**CITY OF SALIDA, COLORADO
ORDINANCE NO. 23
SERIES OF 2022**

AN ORDINANCE OF THE CITY OF SALIDA, COLORADO, ZONING CERTAIN REAL PROPERTY KNOWN AS THE STRINGER ANNEXATION AS COMMERCIAL (C-1) ZONE DISTRICT

WHEREAS, on September 08, 2022, representatives (the “Owners”), of Stringer Annexation filed a General Development Application (the “Petition”) to commence proceedings to annex to the City of Salida (the “City”) a certain unincorporated tract of land comprised of 0.17 acre located at 1730 Holman Avenue, Salida, in the County of Chaffee, State of Colorado, and being more particularly described on Exhibit A, attached hereto and incorporated herein by reference (the “Property”); and

WHEREAS, by Ordinance No.22, Series of 2022 the City of Salida annexed the Stringer Annexation to the City; and

WHEREAS, Petitioner has filed an application to zone the Property within the Commercial (C-1) zone district, and on November 08, 2022 the City of Salida Planning Commission considered the zoning application for the Property at a duly noticed public hearing and recommended that the City Council zone it as Commercial (C-1); and

WHEREAS, as required by the Salida Municipal Code, the public hearing on the zoning application for the Stringer Annexation will be held on December 06, 2022 at a regularly scheduled meeting of the Salida City Council.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO, THAT:

1. The aforementioned recitals are hereby fully incorporated herein.
2. The Property described on Exhibit A is hereby zoned Commercial District (C-1).
3. Promptly following adoption of this Ordinance, the City Administrator shall cause the terms of this Ordinance to be incorporated into the Official Zoning Map of the City pursuant to Section 16-4-210 of the Salida Municipal Code. The signed original copy of the Zoning Map shall be filed with the City Clerk. The Clerk shall also record a certified copy of this Ordinance with the Chaffee County Clerk and Recorder. The City staff is further directed to comply with all provisions of the Salida Land Use Regulations, SMC §16-1-10, et seq., to implement the provisions of this Ordinance.

INTRODUCED ON FIRST READING, on November 15, 2022, ADOPTED and set for second reading and public hearing on the 6th day of December, 2022.

CITY OF SALIDA, COLORADO

Dan Shore, Mayor

[SEAL]

ATTEST:

City Clerk/Deputy Clerk

PUBLISHED IN FULL in the Mountain Mail after First Reading on the ____ day of _____, 2022, and BY TITLE ONLY, after final adoption on the ____ day of _____, 2022.

City Clerk/Deputy City Clerk

EXHIBIT A

PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER [NW1/4 SE1/4) OF SECTION 6, TOWNSHIP 49 NORTH, RANGE 9 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, CHAFFEE COUNTY, COLORADO, DESCRIBED AS FOLLOWS, TO-WIT:
BEGINNING AT A POINT ON THE EAST LINE OF THE NW 1/4 SE 1/4, A DISTANCE OF 496 FEET NORTHERLY FROM THE SOUTHEAST CORNER OF THE SAID NW 1/4 SE 1/4;
THENCE NORTH 88°51' WEST 150 FEET;
THENCE NORTH 1°09' EAST 50 FEET;
THENCE SOUTH 88°51' WEST 150 FEET TO THE SAID EAST LINE OF THE NW1/4 SE1/4;
THENCE SOUTH 1°09' WEST 50 FEET TO THE POINT OF BEGINNING.

ALSO DESCRIBED AS:

A TRACT OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW1/4 SE1/4) OF SECTION 6, TOWNSHIP 49 NORTH, RANGE 9 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, CHAFFEE COUNTY, COLORADO,

DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SAID NW1/4 SE1/4;
THENCE NORTH 0°51'07" WEST 68.4 FEET TO A BRASS CAPPED HIGHWAY RIGHT-OF-WAY MARKER;
THENCE CONTINUING NORTH 0°51'07" WEST ALONG THE CORPORATE BOUNDARY OF THE CITY OF SALIDA, 427.6 FEET TO THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED;
THENCE SOUTH 89°20'45" WEST 150.23 FEET;
THENCE NORTH 50.0 FEET;
THENCE NORTH 89°20' 44" EAST 149.49 FEET;
THENCE SOUTH 0°51.7' EAST 50.0 FEET TO THE POINT OF BEGINNING.
DIRECTIONS ARE BASED ON A BEARING OF SOUTH 89°40'28" WEST FOR THE CENTERLINE OF U.S. HIGHWAY NO. 50.

TOGETHER WITH ONE-HALF OF THE WELL RIGHTS IN THE MCGOWAN WELL NO. 1 (DRILLED MARCH 15, 1956), STATE ENGINEERS WELL NO. 86046, FILED FEBRUARY 28, 1973 IN THE DISTRICT COURT FOR WATER DIVISION NO. 2, STATE OF COLORADO, CASE NO. W-1359.
ALSO TOGETHER WITH AN EASEMENT ACROSS PROPERTY KNOWN AS 1724 HOLMAN AVENUE, SALIDA, CHAFFEE COUNTY, COLORADO, LYING NORTH OF PROPERTY DESCRIBED ABOVE, FOR THE JOINT USE OF SAID WELL, TOGETHER WITH ALL WELL EQUIPMENT, TO INCLUDE, BUT NOT LIMITED TO PUMPS, WATER AND ELECTRIC LINES AND SHALL PROVIDE FOR THE RIGHT OF MAINTENANCE, REPAIR AND REPLACEMENT OF SAID EQUIPMENT.

Also known by the following address:

1730 Holman Avenue, Salida, CO 81201

And assessor's schedule or parcel number: 380706400111

ATT: Bill Almquist



GENERAL DEVELOPMENT APPLICATION

448 East First Street, Suite 112

Salida, CO 81201

Phone: 719-530-2626 Fax: 719-539-5271

Email: planning@cityofsalida.com

1. TYPE OF APPLICATION (Check-off as appropriate)

- | | |
|--|--|
| <input checked="" type="checkbox"/> Annexation | <input type="checkbox"/> Administrative Review:
(Type) _____ |
| <input checked="" type="checkbox"/> Pre-Annexation Agreement | |
| <input type="checkbox"/> Variance | <input type="checkbox"/> Limited Impact Review:
(Type) _____ |
| <input type="checkbox"/> Appeal Application | |
| <input type="checkbox"/> Certificate of Approval | <input checked="" type="checkbox"/> Major Impact Review:
(Type) <u>Zoning</u> |
| <input type="checkbox"/> Creative Sign Permit | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Historic Landmark/District | |
| <input type="checkbox"/> License to Encroach | |
| <input type="checkbox"/> Text Amendment to Land Use Code | |
| <input type="checkbox"/> Watershed Protection Permit | |
| <input type="checkbox"/> Conditional Use | |

2. GENERAL DATA (To be completed by the applicant)

A. Applicant Information

Name of Applicant: PAUL STRINGER
Mailing Address: PO Box 605 Rye, Colo 81069 Location Address: 1730 Holman Salida, Colo
Telephone Number: 719 646-4330 FAX: _____
Email Address: ryeranch@gmail.com
Power of Attorney/ Authorized Representative: _____
(Provide a letter authorizing agent to represent you, include representative's name, street and mailing address, telephone number, and FAX)

B. Site Data

Address currently in County
Name of Development: Home 1730 Holman Salida Colo We want to annex in to City of Salida, to hook up to city water & sewer on Holman St.
Street Address: 1730 Holman Salida Colo
Legal Description: Lot _____ Block _____ Subdivision _____ (attach description)
Paul & Rebecca Stringer own 1730 Holman, no mortgage
Disclosure of Ownership: List all owners' names, mortgages, liens, easements, judgments, contracts and agreements that run with the land. (May be in the form of a current certificate from a title insurance company, deed, ownership and encumbrance report, attorney's opinion, or other documentation acceptable to the City Attorney)

I certify that I have read the application form and that the information and exhibits herewith submitted are true and correct to the best of my knowledge.

Signature of applicant/agent: Paul & Rebecca Stringer Date: 6-2-2021
Signature of property owner: Paul & Rebecca Stringer Date: 6-2-2021

7-11-2021

Enclosed find narrative letter to support annexation application for 1730 Holman Salida, Colorado

The annexation of 1730 Holman into the city of Salida would increase the continuity of community services to benefit the total community. The city of Salida will benefit from the tap fees, and on going revenue paid by the homeowner. We are not requesting annexation of vacant land. We are not completing any public facilities. The home at 1730 Holman is surrounded by city lots on three sides. The home is a brick home and has been in its current location for fifty years and complies with comprehensive plan. We are requesting C1 zoning for 1730 Holman to increase available options for people of all income levels.

Thank You
Paul & Rebecca Dringer