

MEETING DATE: Monday March 24, 2008
MEETING TIME: 6:00 PM
MEETING LOCATION: City Council Chambers, 125 E. 3rd Street, Salida, CO

Present: Bavaria, Tracy, Cabe, Curtis, Pierce, MacDonald, Wallis, Hartsliel, Kasper
 Absent: Vance, Wood, Stephens

AGENDA SECTION:

- I. CALL TO ORDER BY CHAIRPERSON: Bavaria- 6:02 PM**
- II. ROLL CALL**
- III. APPROVAL OF THE MINUTES – Monday, February 25, 2008**
 - 1. **Curtis** made a motion to approve the minutes as written.
Hartsliel seconded the motion. All voters were unanimous and the motion carried.
- IV. UNSCHEDULED CITIZENS - None**
- V. AMENDMENTS TO AGENDA -None**
- VI. PUBLIC HEARINGS –**
 - 1. Madden Conditional Use -735 C St** - The request is to be granted a conditional use to conduct a day care facility within a single-family dwelling located in a Medium Density Residential (R-2) zone district at 735 C Street. In an R-2 zone district, the proposed use is conditional.
 - A. Open Public Hearing - 6:05 p.m.**
 - B. Proof of Publication-Yes**
 - C. Staff Review of Application-** The applicant was before Commission over a year ago to get a conditional use for a small day care. The home next to them is available now and the applicant would like to do a large day care in the vacant home. Staff recommends approval with the standard conditions included in the staff report.
 - D. Applicant’s Presentation - Karina Madden - 735 C St - Madden** stated that her day care is going well. She would like to have a large day care so she can have two age groups; toddler and pre-school. Her backyard next door will remain the play area for the children.
Madden stated that the kids allowed in a large day care is 15 and would like that condition changed from 14 to 15. **Madden** was asked if the parents were alright with using the alley entrance to the day care. She informed the Commission that most of them arrive on bicycles, so they are alright with the situation. **Hartsliel** asked how long it would take to get the state license and was told the process would begin after this approval was granted. **Bavaria** asked if the owners of the property were alright with the increase in tap fees for the commercial use of the house. **Madden** explained her in-laws own the property and they understand the increased tap fees.
 - E. Public Comment - None**

- F. **Close Public Hearing - 6:10 p.m.**
- G. **Commission Discussion - None**
- H. **Commission Action - Tracy** made the motion to amend number 3 of the recommended conditions from 14 children to 15 children. **Pierce** seconded the motion. All were in favor, the motion carried.

2.Carey Conditional Use - Lot 4, John's Subdivision - The request is to be granted a conditional use to construct four residences on Lot 4, John's Subdivision, TBD Highway 50, located in the Commercial (C-1) zone district. In a C-1 zone district, the proposed use in conditional

- A. **Open Public Hearing - 6:11 pm**
- B. **Proof of Publication - Yes**
- C. **Staff Review of Application** - This lot has limited highway frontage and most of the lot is along the river. The applicant has requested to construct 4 (four) attached residence as the hillside drops down on the lower portion. He intends to convert the existing barn into some sort of commercial area but it is not part of this application. They can do that as a use by right for commercial. The shared access with neighbors will need to be firmed up before a building permit can be issued. Also the applicant will need a CDOT permit or an acknowledgment from CDOT that no additional permit will be required. Staff recommends approval of the application.
- D. **Applicant's Presentation - Phil Carey - Owner of property** - He feels the application is straightforward. **Carey** was asked what he would be doing about the flood zone behind his property. He stated that it depended on the Hampton; he believes that they applied for a LOMA from FEMA. The houses will have a carport and a total of 3 parking spots per unit. **Curtis** asked **Carey** what he was going to about the slope of the driveway. **Carey** informed him that he was still in talks with Hampton, because they share a driveway. The driveway extends 180 feet back so that will help with the slope. **Hartslief** read from the applicant's submission for the subdivision of the property where the applicant argued that commercial was the best use of the property and wondered what had changed. **MacDonald** noted that the open space requirements for the site were exceeded during the subdivision and no additional open space would be required for the use as residential. **Hartslief** noted that the applicant had stated in the past that there would be architectural guidelines for the property but there were none included with the application. **Carey** noted that the building elevations have not been completed.

Bavaria asked if there were plans for any future development on the eastern area of the property. **Carey** explained that if the Hampton relocates the wetlands into that area that a conservation easement will be required which will prohibit development in that area. **Bavaria** asked about the plans for the barn. **Carey** stated he may convert the

barn into a community building or storage for the residences and that he would like to salvage the building. **Pierce** asked about the size of the proposed units. He was told that each unit will be approximately 2,400 square feet with three bedrooms and three bathrooms in a three-story structure. The proposed height is 34'6".

- E. **Public Input - None**
 - F. **Close Public Hearing - 6:20 p.m.**
 - G. **Commission Comments – Bavaria** feels that the townhouses are a good use of the property and would like to know if the applicant is alright with the conditions. He was wondering about the highway improvements, if he completes his improvements but the other property owners do not, who is responsible. **MacDonald** informed him that all of the improvements have to be completed before any of the property owners get their Certificate of Occupancy.
 - H. **Commission Action - Cabe** made the motion that the Commission make the recommended findings and take the recommended actions. **Pierce** seconded the motion. **Hartsliel** opposed. The motion carried.
3. **HRRMC Amendment to Conditional Use Application**-The request is to amend a previously approved conditional use application to construct a hospital on the parcel known as Tract 1 of the Colorado Division of Wildlife Subdivision Exemption. The amendment includes subdivision of the property, relocation of the previously approved trail and construction of two medical buildings and a maintenance building.
- A. **Open Public Hearing - 6:25 p.m.**
 - B. **Proof of Publication - Yes**
 - C. **Staff Review of Application** - One of the primary conditions of approval of the conditional use to construct the hospital was that if any further work was to be done on property, it would have to come back to amend the initial approval. The hospital is a conditional use in C-1 zone. There were several conditions that were assigned to the initial approval. The Commission was furnished copies of those conditions. Staff found that there would need to be some adjustments to the site plan including drive aisles. The trail was originally around the property but it is being modified as part of new application. The applicant has stated that they will do a dirt trail but staff has recommended that the trail be a paved concrete sidewalk between Highway 291 and the driveway for the new medical buildings. This site is over 20,000 square feet so it will require large structure design guidelines. The landscape plan will need to be submitted with the building plan. The Fire Chief and the Public Works Director have issues with the proposed emergency access so those will need to be addressed before application for a building permit. CDOT will need to issue a revised access permit. The original permit was issued for the hospital so they may have changes. The same condition that if there is

further development that the application will need to come before the Commission to ensure that the initial approval original goals are being met, like the pedestrian trail, and the continuity of the design on site. The condition should remain so that if and when the signalization does need to be installed that the hospital or whoever owns the property will have to pay for the signalization to be done. Staff is recommending approval subject to the recommended conditions in the staff report. Commission is welcome to discuss both of the applications at the same time, but they will need to make individual motions for the conditional use and the subdivision.

- D. **Applicant's Presentation - Barb Abel - Vice President of HRRMC** - **Abel** does not really have anything to add, she would like to just answer the Commission's questions. **Cabe** asked **MacDonald** to explain how the trail is being moved. **MacDonald** explained the trail location on the site plan. **Bavaria** asked the applicant if they were ok with the proposed conditions of approval. **Hartsliel** asked **Abel** who would own the medical office buildings. **Abel** informed him that the final ownership had not been determined yet but it would be a group of physicians. There has not been any formal contract plans, ownership is still in the works. The hospital will sell the property; the doctors will be responsible for the buildings. **Cabe** asked if a selling price had been settled on yet. **Abel** informed **Cabe** that when a hospital sells property to physicians, it is governed by the Federal law and they must sell for appraised value. **Ken Leisher, CEO of HRRMC** informed the Commission that the price of the 2-acre parcel would be \$315,000. It was noted that the hospital had paid \$240,000 for the 25-acre site. **Cabe** would like to know if there are any plans for phase 2 on the site plan. **Abel** informed him that there were no definite plans; the County has shown interest in the property. **Cabe** asked if the physicians group had looked at other property in the neighborhood. **Abel** said that the physicians want to be close to the hospital for patient's convenience. The big concern is that the Commission would like to make sure that the gateway into the City remains as open space. **Cabe** noted that the architecture of the hospital is bland and does not create a welcoming gateway.

Leisher stated that the hospital has made all of the improvements that they were asked to complete. With this development seven of the 25 acres will be developed. **Bavaria** read from a quote by former CEO Nate Olson in The Mountain Mail claiming that half of the site would remain open space. **Bavaria** is concerned that the open space that was promised will not remain. **Abel** stated that the hospital's primary concern was providing health care to the area, while maintaining the open space that they want to remain on the property, and incorporate that into their mission to provide quality health care. **Cabe** noted that the Comprehensive Plan calls on the Planning Commission to pay

attention to gateways. He likes the idea of the physicians being close to the hospital and wishes he could hear from the physicians about other options they had explored for locations. **Abel** stated that the original application stated that the open space area would be to the North and West of the property. The Eastern part of the property was always to be used for a doctor's office. **Tracy** commented that the primary concern should be health, safety and welfare and he would hate to limit the ability of doctors to come together in a central location. He feels that maybe the community would not travel out of town to visit doctors then. **Pierce** stated he would prefer to see a mix of commercial uses rather than just a smattering of medical offices. He asked if the Commission could place a condition of a percentage of open space for approval. **Hartslief** agreed that they need to state the agreed upon expectations clearly. **Abel** would like to keep the campus pedestrian friendly and she feels that a medical campus is the best use of the site. She can not say what the best use of the property will be in 40 – 50 years and does not want to limit the options for development. **Cabe** asked **Abel** how the Commission could be sure that the medical buildings will be built in the style that is presented. **Abel** stated that they would have design guidelines and covenants that will be presented with the final plat.

Cabe explained the process to date noting that the hospital was granted a conditional use approval for a hospital on a 25-acre parcel, not a commercial development with the hospital as anchor tenant. He does not feel that the hospital is doing the city any favors. He asked if the hospital had considered offering Salida any of the balance between the cost of the land purchase and the sale of the parcel to the physicians. **Abel** commented that the hospital has improved the sewer infrastructure in the city and that they feel they have contributed to the city. **Hartslief** asked what portion of the hospital budget comes from taxes and was told that most of the funding comes as payment for services provided by the hospital, not from property taxes. **Hartslief** noted that the hospital purchased the land for \$10,000 per acre and was selling for \$160,000 per acre. **Dan Downing** commented that the land which would be sold to the physicians would go back on the tax roles for the city.

E. **Public Input - None**

F. **Close Public Hearing - 6:55 pm**

G. **Commission Discussion - MacDonald** informed the Commission that the conditional use is for the physician's office and for the maintenance building. Anything else would have to come back to Commission for approval. **Curtis** would like to know if the height of 19 feet was set in stone with the builders. **Ron Mazzeo, architect on the project**, stated that the height was 19' 6" to the top of the entry pop ups. **Curtis** also asked if there was any reason that the contractor

was doing a metal roof on the maintenance building. **John Diesslin, contractor for the project** stated that it was due to cost and the building is a pre-engineered building. There was discussion about the visibility of the roof. **Tracy** would like to know if the roof slopes to the West. **Mazzeo** stated that it slopes to East to West. **Tracy** would like to know if there is a way to put a parapet on the roof to hide that it is metal. **Hartslief** would like an update on the streetlights for the hospital project. **Diesslin** informed him that the lights along the sidewalk were still being worked on. CDOT is slow to approve them and Xcel Energy has not come to put up the lights yet. He thinks it will still be a couple months. **Leisher** reassured the Commission that the hospital has a letter of credit from the bank that all of the work will be completed on the previous application. **Bavaria** would like to know if the applicant is comfortable with the suggested conditions of approval. **Abel** stated that she is comfortable with the printed conditions. **Abel** was asked by **Bavaria** if the hospital was planning on installing lights over the parking lot and **Abel** informed her that they were. **Bavaria** does not have a problem with the proposed buildings but wants to remind the Commission of the promise that the prior CEO made that he would keep the open space percentage high. **Abel** stated that the view from the patient's room has to be preserved for the open space. **Cabe** would like to add a condition that the hospital is willing to allow any neighbors to connect to the trail. **Abel** would like the condition to also read that if a connection is made that it not cause erosion. She also asked that a condition be placed that if there is further development that the trail could be relocated. **Cabe** made the motion to make the recommended findings and take the recommended actions with the exception of changing Condition 10 that the perimeter trail on the 25-acre site remain in perpetuity and to add a Condition 15 that the hospital provide access to other property owners a connection to the trail. Tracy seconded the motion. All in favor. The motion carried.

4. **Salida Medical Building Preliminary Plat** - The request is to subdivide one parcel into two lots at 1000 Rush Drive. This is the site of the new Heart of the Rockies Regional Medical Center.
 - A. **Open Public Hearing - 7:20 pm**
 - B. **Proof of Publication - Yes**
 - C. **Staff Review of Application** – Staff received a comment from Xcel Energy that they would need any required easements for energy or any other utilities and those need to be shown on the final plat. There were comments from the land use attorney about the lot separation being more defined will be on the final plat. CDOT access permit needs to be obtained. The new cost estimates for all new subdivisions needs to be submitted with final plat application. The new joint access easement is most likely going to follow the access drive but that needs to be shown on the final plat. Inclusion of the sidewalk on the east

side of Rush Drive to the new access that was discussed earlier is also a suggested condition of approval.

D. Applicant's Presentation - None

E. Public Input-None

F. Close Public Hearing - 7:25 pm

G. Commission Discussion - Hartsliel made the motion to make the recommended findings and take the recommended actions. **Curtis** seconded the motion. All were in favor. The motion carried.

VII. UNFINISHED BUSINESS - None

VIII. NEW BUSINESS - None

IX. COMMISSIONER'S COMMENTS: **Tracy** asked what the Commission could do to get the Hampton Inn issue back in front of them. **MacDonald** explained that she had asked them to come back but the applicant feels that they can turn the building and meet the height requirement and not have to return to the commission. **Curtis** stated that he would approve it if they returned. **Hartsliel** is opposed to it. **Cabe** made the motion to adopt a resolution expressing the sense of the Commission that if the Hampton Inn as filed was to come back before them, they would approve the application as recommended by staff. **Tracy** seconded it and asked for a vote by roll call. The motion carried with a 5 to 2 vote. **Hartsliel** and **Pierce** voting no with **Pierce** noting that he was representing the view he felt **Wood** would express.

Tracy was wondering if the daycare conditional use application process should be looked at. He feels that the applicants already go through extensive process with the state. He was informed that the state does not think about the impact on neighbors and traffic flow. The next work session is April 8th and the topics are affordable housing and design guidelines for the East neighborhood. They will have another neighborhood meeting on March 31st and if they feel comfortable after that meeting, they will then present the guidelines to the Commission.

X. ADJOURN

With no further business to come before the Commission, the meeting closed at **7:45 p.m.**