



City of Florence

Florence Municipal Center
600 West 3rd Street, Florence, Colorado 81226.
(719) 784-4848 Fax (719) 784-0228
Email: planning@florencecolorado.org

Members:
Beth Lenz
Brandon Angel
Kirk Nelson
Tabby Selakovich
Paul Villagrana

CITY OF FLORENCE
PLANNING COMMISSION MEETING
FLORENCE MUNICIPAL CENTER, CITY HALL CHAMBERS
Thursday, June 20, 2024 at 5:30 p.m.

AGENDA

- I. Call to Order
- II. Roll Call
- III. Approval of the Minutes from the May 16, 2024, Meeting
- IV. **Old Business:**
 - a. Willow Creek Estates Subdivision - Willow Creek Estates Filing No. 2 - Staff Update
 - b. Parking Plan – 111 Church Avenue / Special Use Review 24-001 - for an Indoor Amusement and Entertainment Establishment.
- V. **New Business:**
 - a. Public Hearing – RZ 24-001- Ernesto Urias
Requesting to rezone property – I -1 – Light Industrial to R-1 Low Density Residential located at 760 Pine Street.
 - b. Master Plan / Funding - Discussion
- VI. Next Meeting Date and Time: July 18, 2024 at 5:30 p.m.
- VII. Upcoming Agenda Items:
- VIII. Adjourn



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FLORENCE PLANNING COMMISSION MEETING MINUTES

THURSDAY, MAY 16, 2024

5:30 P.M.

Commissioners	Present	Absent
Chair Beth Lenz	X	
Planning Commissioner Brandon Angel	X	
Planning Commissioner Kirk Nelson	X	
Planning Commissioner Tabby Selakovich		X
Planning Commissioner Paul Villagrana	X	
City Council Representative Mergelman	X	

Staff Present	Present	Absent
Planning Director Fox	X	
City Manager Nasta		X
City Clerk Huppe	X	

I. Call to Order

Chair Lenz calls the meeting to order at 5:30 p.m.

II. Roll Call

Commissioner Selakovich absent, all other Commissioners present.

Council Representative Mergelman present.

III. Approval of the Minutes from the March 21, 2024 Meeting

Commissioner Angel makes a motion to approve the meeting minutes from March 21, 2024.

Seconded by Commissioner Nelson.

Roll Call: 4 Ayes The motion carries.

IV. Old Business:

a) **Willow Creek Estates Subdivision** - Willow Creek Estates Filing No. 2 – Staff Update

- 1) Valid CDOT Access Permit acknowledging the additional lots – Still needed. Staff has reached out to CDOT to request information regarding the Access Permits and their status. No information has been received back at this time.



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- 2) A system wide water analysis to verify the adequacy of a single tap point from Arrowhead Drive: A letter from Jacobs Engineering has been received confirming that a system wide analysis conducted by 3 Rocks Engineering regarding a single tap point from Arrowhead Drive will provide suitable performance and also offered recommendations to the developer in order to offer long-term distribution benefits for the development and the City.
- 3) Final engineering on water tap size for each four-plex: A letter from Jacobs Engineering has been received stating that the final reports from Professional Engineering Consultants demonstrate there will be sufficient water pressure for a 1" inch water tap size, which the developer had originally requested.
- 4) Union Ditch Shares – 7 Union Ditch Shares will be required.
- 5) An address plat - has been received.
- 6) Preliminary Plat notes - have been added to the potential final plat and submitted to the City.

V. New Business:

- a) **Public Hearing – SUR 24-001** – Requesting a Special Use Review for an Indoor Amusement and Entertainment Establishment at 111 Church Avenue
 - Planning Director states the location of the property is located at the Northwest corner of Church Avenue and West Main Street. Applicants seek to convert the existing vacant building into an indoor amusement and entertainment establishment. Identified in Chapter 17.08 of Municipal Code - "Indoor amusements and entertainment establishment" means an entirely enclosed facility providing a source of amusement, entertainment, or recreation, which is operated as a commercial venture. The building is in the C – General Commercial Zone District and an indoor amusements and entertainment establishment is allowed only by a Special Use Review. Further states that the Future Land Use map in the City's Current Master Plan shows the subject property is in the MU-D - Downtown Mixed-Use District. This district is 'primarily pedestrian-orientated and support a number of retail, office, food service, and limited hospitality uses as well as entertainment venues.' Also stated in the meeting packet are comments from utilities and sanitation. Notice of Public Hearing timeline is listed and does meet notification requirements per code. Additional parking spaces will be required, the applicates have stated that they do have a parking plan for the project but had not submitted the plan before the meeting. Planning Director points out a correction in the staff report regarding parking spaces needed due to the occupancy load changing for the building, 15 additional parking spaces are needed not 10.
 - Chair Lenz opens the Public Hearing.
 - Henry Agustinus, owner of 111 Church Avenue. States the idea is to make a children's playground for the community and for Fremont County, and this idea will be an investment for the town and himself. Further states that this project will draw additional people into Florence.
 - Chair Lenz inquires about the children's age range that will be able to use the facility.
 - Mr. Agustinus states from 1 to 12 years old.
 - Commissioner Angel inquires if food will be served.



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- Mr. Agustinus states no food provided at this time but there is the idea of a food truck in front of the building.
- Chair Lenz inquires if parents will be required to stay with their children while in the building and play area.
- Mr. Agustinus states that a parent will be required to stay with their child no matter what age.
- Chair Lenz inquires if the applicant is concerned about being located on a State Highway and how children are going to be kept from exiting the building.
- Mr. Agustinus states he has enough parking.
- Chair Lenz inquires if the applicant has discussed the parking plan with the Fire Department because the south gated access will be closed off per the parking plan submitted.
- Mr. Agustinus states he has not spoken to the Fire Department
- Commissioner Nelson inquires how many employees there will be.
- Mr. Agustinus states four to five.
- Representative Mergelman expresses concern about the intersection where the property is located and there is no fence on the south side of the property.
- Mr. Agustinus states there is enough space around the building.
- Representative Mergelman inquires about parking lot lighting.
- Mr. Agustinus states there are 6 to 7 light poles.
- Chair Lenz closes the public hearing.

Chair Lenz recommends approval of Special Use Review 24-001 to permit an indoor amusement and entertainment establishment located a 111 Church Avenue C – General Commercial Zone District and recommend to City Council for a final decision contingent upon a parking plan that addresses lighting, safety, a CDOT consultation, consultation with Fremont Sanitation and consultation with the Florence Fire Department.

Seconded by Commissioner Angel.

Roll Call: 4 Ayes The motion carries.

The meeting adjourned at 5:56 p.m.

By: _____
Planning Commission Chair

Date: _____

FLORENCE PLANNING COMMISSION

MEETING DATE: JUNE 20, 2024

STAFF REPORT

Agenda Item: Parking Plan – SUR 24-001 – Indoor Amusement and Entertainment Establishment at 111 Church Avenue.

Department: Planning

Subject & Proposal

- **Location:** Northwest Corner of Church Avenue and West Main Street.
- **Applicant/Owner:** Usmin Henry Agustinus, Elisabeth Lie, Izakaya Trading LLC.
- **Proposal:** Applicants seek to convert the existing vacant building into an indoor amusement and entertainment establishment.



Referral Agency Comments:

CDOT: A New State Highway Access Permit will be required based on a new use; the applicants have submitted a state highway access permit application.

Florence Fire Department: The Fire Department has met with the applicant about the sprinkler system, the Fire Department Connection (FDC), access to the building and the gate on the south side of the property. See attached letter.

Fremont Sanitation: Applicants reached out to Fremont Sanitation to determine if re-permitting would be necessary for the proposed project and were notified that re-permitting would not be necessary.

Staff Comments

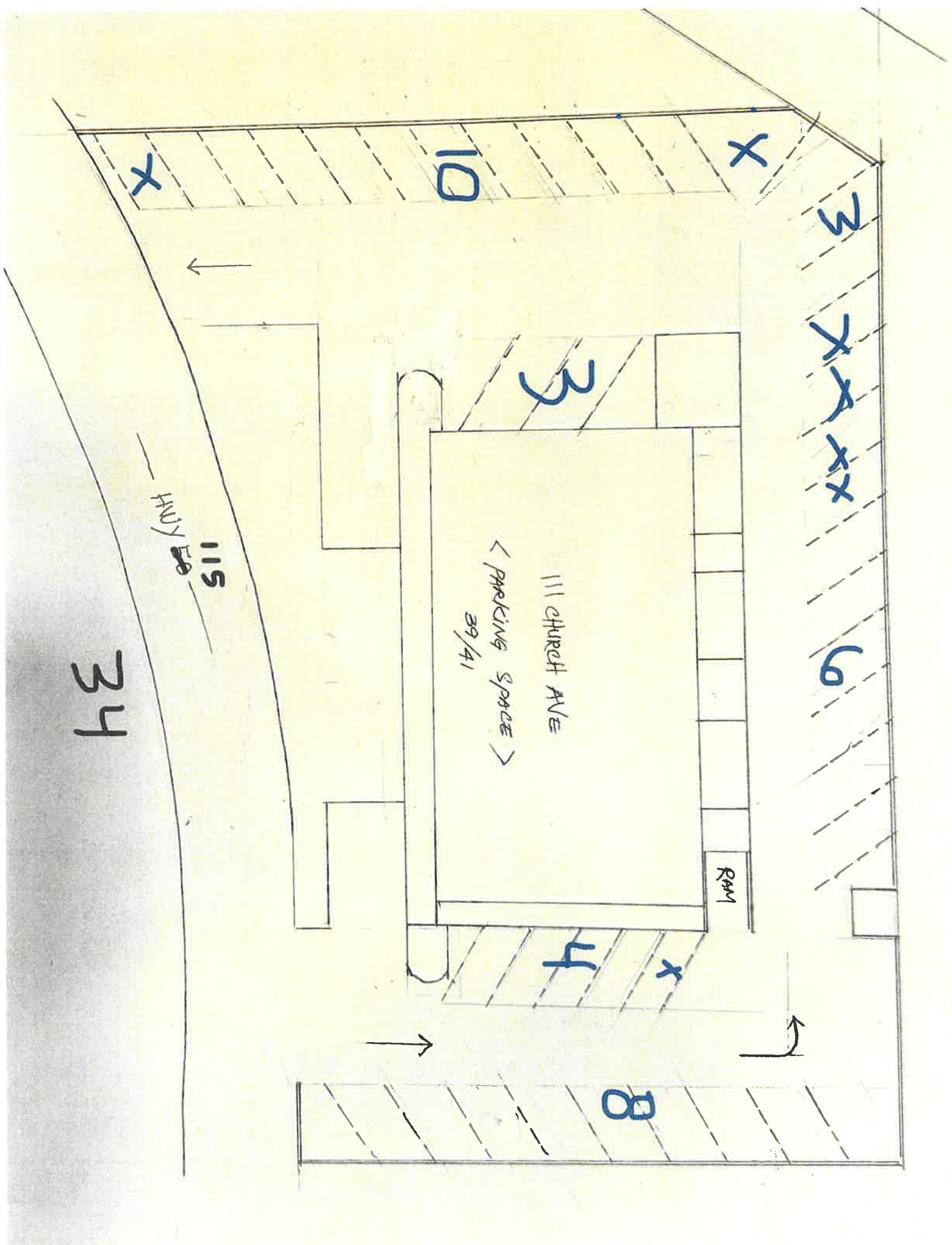
- **Parking Plan –** Upon evaluation, staff has determined that the parking lot can accommodate 34 spaces, including those designated for ADA and staff use. However, per code requirements, the proposed new use and occupancy load specifies 35 parking spaces.
- Applicants will install a chain link fence along the southern boundary of the parking area for safety purposes.
- The parking area does have sufficient lighting. Applicants plan to transition to LED lighting.

Attachments included:

- Parking Plan
- Letter - CDOT
- Letter – Fire Department
- Letter – Fremont Sanitation

Suggested Motion:

Based on the requirements delineated in Florence Municipal Code Chapter 17.68.060 – Supplementary Requirements – H - the parking plan submitted for 111 Church Avenue, associated with Special Use Review 24-001 shall / shall not be approved.



10

X

3

X X X X

3

6

< PARKING SPACE >
39/41

111 CHURCH AVE

Ramp

4

X

8

115
HINDY RD

34



COLORADO

Department of Transportation

Region 2
Traffic & Safety - Access Permits

May 24, 2024

115A/City of Florence

City of Florence Planning Commission
600 West 3rd Street, Florence, CO 81226
(719) 784-4848 planning@florencecolorado.org

RE: SUR 24-001 Request for Special Use -
Indoor Amusement and Entertainment Establishment at 111 Church Avenue

Dear Planning Commission,

Please find the below comments to the above mentioned Request for Special Use for an Indoor Amusement and Entertainment Establishment located at 111 Church Avenue, in the City of Florence, Fremont County, State of Colorado. The site is on State Highway 115A ±2,376 east from MP 9 with a category of NR-C, Non-Rural Arterial. The proposal is to convert the existing vacant building into an indoor amusement and entertainment facility. The parcel has three existing access locations: two on Church Avenue (State Highway 115A MP 8.45 egress and 8.40 ingress), the other is a gated access on Main Street. The property has the tax schedule No. R020686, currently owned by Izakaya Trading LLC. After review of submittals, we have the following comments:

- The property can be accessed off Church Avenue from both north and south bound lanes into a one-way drive located on the north end of the property, going around the building and then exiting back onto Church Avenue on the south end of the property.
- A State Highway Access Permit will be required as the parcel is adjacent to State Highway 115A - evaluation will include the change-in-use in terms of access operation, traffic volume and or vehicle type per State Highway Access Code §2.6 for state highway 115A (NR-C).
- Provide a Traffic Analysis/Trip Generation
 - If DHV is less than 100; provide Trip Generation
 - If DHV is 100 or more; provide a Traffic Impact Study
- The access closest to the intersection of 115A and Main Street should be closed, as per the per State Highway Access Code §2.6.
- The Applicant should submit the state highway access permit application to Adam Lancaster, Permits Program Manager, who will assign the applications to a permit writer.
 - cdot_r2_permits_access@state.co.us
- Our State Website has an access permits page, where the Applicant can review the State Highway Access Code and download a CDOT Access Permit Application and view other related documents.
 - <https://www.codot.gov/business/permits/accesspermits>



Additionally,

- On-premise and off-premise signing shall comply with the current Colorado Outdoor Advertising Act, sections 43-1-401 to 421, C.R.S., and all rules and regulations pertaining to outdoor advertising. Please contact Adam Lancaster at 719-562-5540 for any questions regarding advertising devices.
- Any utility work within the state highway right of way will require a utility permit from the CDOT. Information for obtaining a utility permit can also be obtained by contacting Mr. Lancaster.

If you have questions, please contact me at (719) 562-5537 or michelle.regalado@state.co.us.

Sincerely,

Michelle Regalado

Michelle Regalado
Access Management

xc: Elisabeth Lie hz_galz@hotmail.com
Lancaster/file





Florence Fire Protection District

Station # 1 & Administration 300 West Main Street Florence, CO 81226 (719) 784-2350

Chief Bill Ritter

May 21, 2024

Re: 111 Church Ave.

To whom it may concern,

I have reviewed the plans and met with the owner of this address reference concerns the Florence Fire Protection District may have with the change of occupancy for this building. We discussed the Fire Department Connection (FDC) and sprinkler system concerns. We have made an agreement that the FDC will remain on the outside of the building. He will have the Fire suppression system, fire sprinklers inspected and repaired if needed. The owner will also be purchasing a KNOX BOX secure key system for this building and gate, which will allow for 24-hour access to the building and gate by fire department personnel. With these concerns agreed upon the Florence Fire Protection District approves this change of use.

Thank you,

Chief Ritter



Fremont Sanitation District

107 Berry Parkway
 Canon City, CO 81212-3900
 (719)269-9050
 Email: mybill@fsd.co

SANITARY SEWER AVAILABILITY APPLICATION REVIEW & PERMITTING FEE(S)

Date: 06-10-24

Site Address or Location: (subject property)

Contact Name: Usmin Agustinos

111 Church Ave.

Contact Phone: [REDACTED]

Florence, Co. 81226

Contact Email: [REDACTED]

ENGINEERING:

*Current Account 10826
 Commercial w/1" Wm & 1 Residential unit

- A viable sanitary sewer main of sufficient capacity currently exists within 400 feet of subject property.
- A sanitary sewer main extension (by owner) is required to serve subject property (see Engineering Notes).
- Other (see Engineering Notes).

Is property already "Included" into the District? No Yes

Is connection subject to a main tapping fee? No Yes \$ _____

Is connection subject to Special Fees or Payback? No Yes (See Page 2 of 2)

ENGINEERING NOTES: Existing service is connected to manhole B359 (labeled in map) with white line and grey arrows. Private service line is our best guess and must be verified. If more info is required, please contact FSD Engineering Dept.

Map Attached Additional Notes Attached Letter Attached

Contact Fremont County Public Health Agency for septic abandonment regulations.

For Commercial Applications Only:

Pretreatment review required. Please contact Preston Hamby at phamby@fsd.co for requirements.

Engineering Review (PRINT NAME) Brian Hagenan Date: 6/11/2024

FLORENCE PLANNING COMMISSION

MEETING DATE: JUNE 20, 2024

STAFF REPORT

Agenda Item: Public Hearing - Rezone 24-001 – Ernesto Urias
Request to Rezone Property from I-1 Light Industrial to R-1 Low Density Residential.

Department: Planning

Background / Description of Item:

- The rezone request is for property located at 760 Pine Street and is legally known as Lots 17, 18, 19 and 20, Block L of the United Oil Company's Mesa Subdivision. Property is currently zoned I-1 Light Industrial, the applicant is requesting a zone change to R-1 Low Density Residential.

Staff Comments:

- The applicants request to rezone the property is to have a single-family home on the property. New residential uses are only allowed in I-1 Light Industrial Zone District as a watchman's quarters to another permitted use, therefore rezoning is needed.
- The properties to the north, east and west of the subject lots are currently zoned I-1 Light Industrial, while the adjacent property to the south has been rezoned to R-1.
- The adjacent properties currently have residential structures and are considered non-conforming since they were constructed before current city zoning regulations.
- The Future Land Use map in the City's 2017 Master Plan shows the subject property is in the EMP — Employment Centers. The EMP – Employment area on the Future Land Use map shows to include the area to the north, west and southeast of the subject property, with MU-T – Mixed Use Transitional just to the south.
- A lot line vacation will be required for a home to be constructed.
- The applicant intends to install all utilities once rezoning and lot line vacation has been completed.
- The timeline below was followed in advance of this meeting with regard to notification requirements:
 - May 31, 2024: Notification letters were sent to property owners within 300 feet of the subject property.
 - June 3, 2024: Property was posted with a Public Hearing Notice sign.
 - May 31, 2024: Notice of the Public Hearing was published in the *Cañon City Daily Record*.

Response to Public Notice

- One response has been received and is included in the packet.

Florence Municipal Code 17.76.100 – Rezoning policy and condition: The property may be rezoned only if one of the following criteria is true:

1. that the property was not properly zoned when existing zoning was imposed,
The area south of Cedar Street is currently zoned I-1 Light Industrial but consists of predominantly residential dwellings.

2. that as presently zoned, is inconsistent with the policies and goals of the City's Comprehensive Plan,
3. that there has been a material change in the neighborhood which justifies the requested zone change, *Properties to the west of the subject property have been rezoned to R-3, and the adjacent property to the south has been rezoned to R-1, changing the dynamics of the area.*
4. that the proposed rezoning is necessary in order to provide land for a community related use which was not anticipated at the time of the adoption of the City's comprehensive plan, and that such rezoning will be consistent with the policies and goals of the comprehensive plan.

Attachments included:

- Overview Map
- Current Zoning Map
- Future Land Use Map and Definitions
- Response Letter

Suggested Motions:

Based on the requirements delineated in Florence Municipal Code Chapter 17.76.100 – Rezoning policy and conditions, the rezone request for 760 Pine Street, legally known as Lots 17, 18, 19, and 20, Block L of the United Oil Company's Mesa Subdivision - from I – 1 Light Industrial to R-1 Low Density Residential *shall / shall not* be approved based on.....and recommend to City Council for a final decision.

Pine Street Rezone Request Area

DIVISION ST

PROSPECT AVE

67

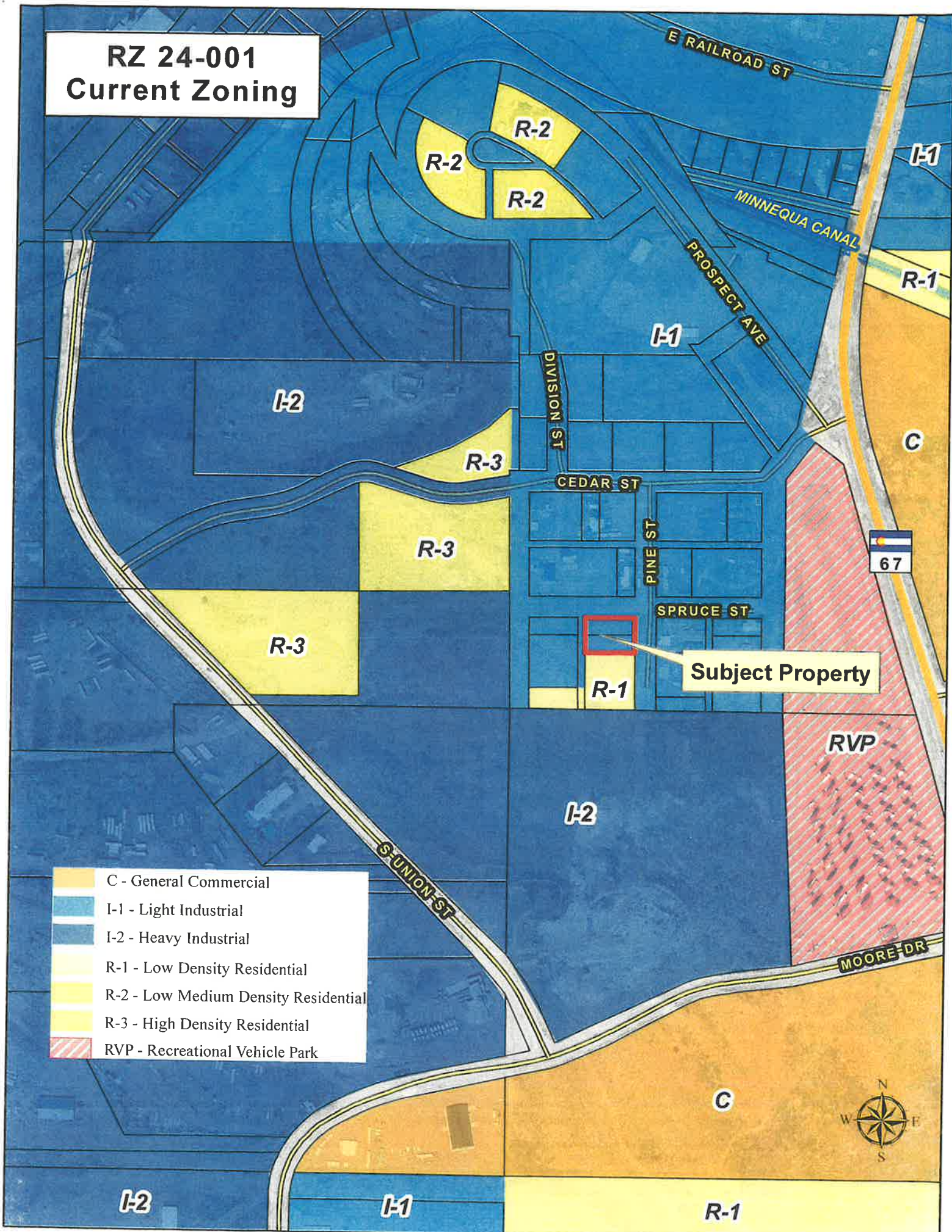
CEDAR ST

PINE ST

SPRUCE ST



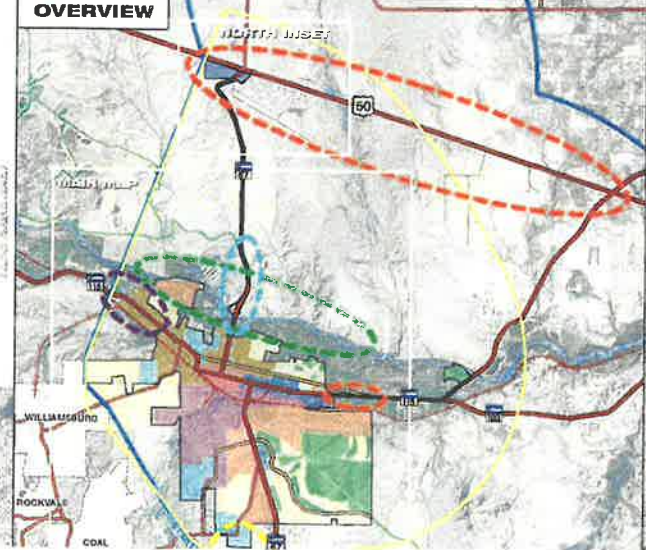
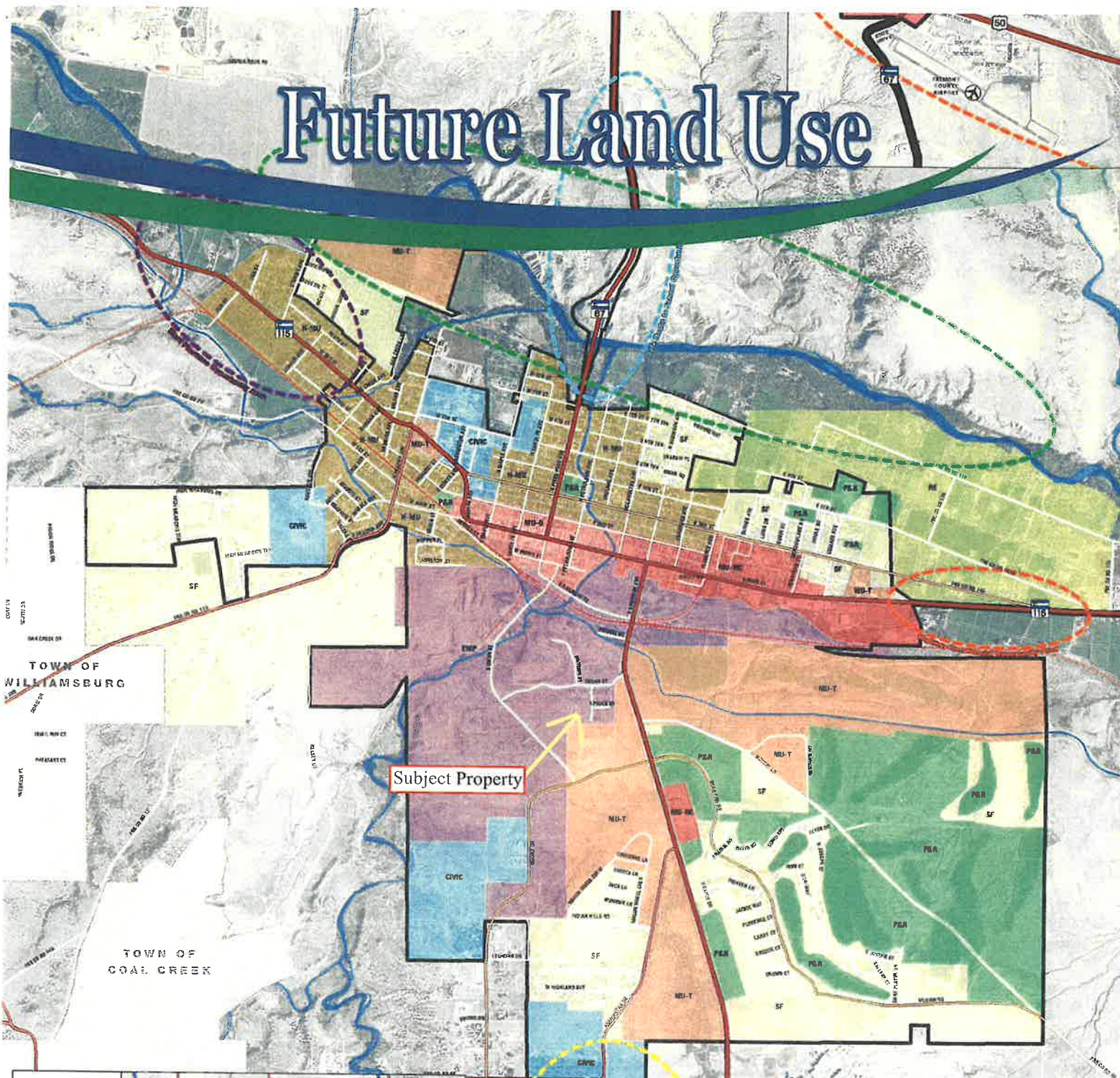
RZ 24-001 Current Zoning



Subject Property



Future Land Use



- | | | | |
|-----------------------------|------------------------------|--------------------------------|---------------------------------|
| FUTURE LAND USE PLAN | | OPPORTUNITY AREA | |
| Neighborhoods | | Arkansas River | Highway Commercial |
| SF | Single-Family Residential | Safe Route to School | South Florence Opportunity Area |
| MF | Multi-Family Residential | West Florence Opportunity Area | |
| H-MU | Historical Mixed-Use | TRANSPORTATION NETWORK | |
| RE | Rural Estate | Regional Arterial | Primary Corridor |
| Mixed-Use | | Collector | Local |
| MU-D | Downtown Mixed-Use | Private | Railroad |
| MU-T | Mixed-Use Transitional | Civic/Quasi-Public | Parks & Recreation |
| MU-HC | Mixed-Use Highway Commercial | | |
| EMP | Employment | | |
| Community | | | |
| CIVIC | Civic/Quasi-Public | | |
| P&R | Parks & Recreation | | |

Land Use Designations

(H-MU) Historic Mixed Use

These are established generally constructed before World War two for a non-motorized way of life. These mature neighborhoods have a wide range of historic housing with some new infill and scattered example of duplexes and four-plexes and even historic mixed-use along collector streets and highways. This designation allows for case-by-case examples of neighborhood commercial and office as well as live/work units on busier streets and main intersections. Future use of this historic core area of Florence should focus on residential development with a degree more flexibility for case-by-case infusions of other uses with properly mitigated impacts.

(SF) Single Family Residential

These are generally single-use automotive age development with single-family housing developments. The intent of this district is to provide stable locations for single family living as well as case-by-case examples of low level multifamily housing or special uses such as churches where appropriate.

(MF) Multi-Family Residential

These areas are intended for larger multifamily developments that can provide relief to the current housing crisis in Florence. These areas are generally in transitional sections of town and developments should be sited to buffer other uses and contain a quality of product that will be an asset to Florence for years to come.

(RE) Rural Estate

These areas are characterized by larger lot developments with low level agricultural activities or horse properties. These are the predominate type of land outside City Boundaries and there are limited areas within the City. These areas will mainly be single-family residential in use.

(E) Employment Centers

These are areas designated for low to mid-range industrial and commercial uses that have low to moderate external impact on the surrounding community. These areas tend to have larger lot sizes and be located some distance from residential uses. A variety of buffer uses may be allowed to screen these uses from residential such as mini storage and other uses.

(MU-D) Downtown Mixed Use

This area is designated for the retention of the existing, established historical commercial downtown of Florence that was developed from the 1890s to the 1930s. These areas

are primarily pedestrian-orientated and support a number of retail, office, food services, community organizations, and limited hospitality uses as well as entertainment venues.

The designation seeks to preserve the wide range of uses that support the city and the unique historic character of downtown Florence. Residential is encouraged in second story and rear of buildings as long as storefronts are maintained for commercial purposes. Although the designated areas mainly support the established historic building stock, new compatible buildings and uses are encouraged adjacent to downtown and as infill on non-contributing buildings and vacant lots through some level of municipal design review. Unlike many downtown districts, some limited low level industrial and employment uses are encouraged that are compatible with the existing downtown.

(MU-T) Mixed Use Transitional

This is a broad category for areas that are in transition over the next 5 to 10 years and located in areas that could develop in a couple of different ways depending on the market in Florence. This designation is intended to allow the greatest flexibility for change and may accommodate some multifamily development or commercial development or well-designed mixture of uses.

(MU-HC) Mixed Use Highway Commercial

The designation is intended to allow flexibility of commercial development along main highways as market forces change land uses. Existing residential single family homes are located in these areas and may remain however; the City is open to redevelopment plans for commercial uses along busy corridors and especially of blighted and underutilized properties is encouraged.

(Civic) Civic Quasi-Public

This designation is for schools, governmental facilities, and other quasi-public organizations as well as land adjacent that could transition to expansions of these uses in the future.

(P & R) Parks and Recreation

This category is designed for land utilized as City parks or recreation facilities.

Opportunity Areas

These areas represent opportunities to welcome visitors to Florence, provide strong connections to downtown, catalyst opportunities for recreation, education, tourism and represent growth opportunities through annexation. All areas offer joint planning opportunities to collaborate with the County and other agencies to coordinate matters of mutual, regional interest.







Langston Concrete Inc.
902 South Union Street
Florence, Co. 81226
Ph: (719) 784-3878 Fax: (719) 784-1158

06/20/2024

City of Florence
600 W. 3rd Street
Florence, CO. 81226

RE: Public Hearing for Notice of Request for Rezoning

To The City of Florence Planning Commission,

We received a notice of public hearing in the mail regarding the rezoning of four lots in the United Oil Company's Mesa Subdivision in the mail on June 3rd, 2024. We would like to take this opportunity to comment on the rezoning application.

As you may or may not know, Langston Concrete Inc. owns several pieces of land in the vicinity of the aforementioned lots. All of which is zoned industrial in some form or fashion. When we purchased the first lot in the area, we were told the entire area to the North and North East of us was reserved for a future industrial park. This is not an uncommon practice for most planning commissions across the U.S. It made sense to us as many cities, towns, & counties have areas set aside for industrial activities to occur at some point in the future. As well as areas set aside for urban development and residential expansion. Unfortunately, since we have been in Florence, we have only witnessed the land around us being rezoned for other purposes rather than what we were told it was intended for.

Please do not take this as a letter of opposition for growth. Nothing could be further from that idea. Our organization is able to exist because of growth. We simply want to encourage the Commission to evaluate responsible growth that ends up being for the best for the greater good.

When industrial zoning is comingled with residential zoning, everyone loses. Industrial areas tend to create traffic, generate dust, make noise, operate at varying hours, are generally "un-sightly" and typically are well lit for security/safety purposes. New residents soon learn many of these things can interfere with daily life. No one wants to live next to a place that wakes them up every other morning at 5:00am. Or inadvertently makes dust throughout the day that blows across their property and into their homes. Things like this immediately affect the quality of life and agitate most people. Then come the complaints. Depending on how the municipal district is set up, *someone* within the district ends up having to deal with the moans and groans of whichever citizen happens to bring the complaint forward.

While none of the things listed are done on purpose or with malicious intent, it happens. We are seeing it right now as we live and breathe on Union Avenue. Industrial land was rezoned to some form of residential a few years ago. Apartment style buildings were built and almost immediately speed limit complaints started pouring in. So, speed limit signs were installed. And City police patrol the road more often than before. The last we had heard; a petition was circling the region



Langston Concrete Inc.
902 South Union Street
Florence, Co. 81226
Ph: (719) 784-3878 Fax: (719) 784-1158

to attempt to convince City Council for the need to install magnesium chloride on the gravel road to keep the dust down on Union Ave. While we have not been accused directly of anything, we are not fooled into believing the complaints are not stemming from our operation in the vicinity.

Our organization is simply trying to operate. While providing good paying jobs for individuals trying to make a decent living. We also recognize that people need somewhere to live... we all do. And we believe we are all entitled to live where we want, how we want. Furthermore, every person is entitled to what they consider their "humble abode." In our opinion, mingling the two types of zoning areas together makes it extremely difficult for either to have what they want.

We encourage everyone involved to consider the future impacts of what is being proposed. We feel it is in everyone's best interest to continue to keep residential zoning near residential properties and keep industrial zoned properties confined to the area already set aside for industrial uses.

We would also like to encourage the applicants to look into surrounding areas in the region already zoned for residential use. Such as, High Meadows and Bear Paw. Also, lots located off Arrowhead Drive and Cyanide Avenue.

Thank you,

A handwritten signature in blue ink, appearing to read "Mike Langston", written over a horizontal line.

Mike Langston

President/Owner



902 South Union Street

PO Box 279

Florence, Co. 81226