



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
Bliss Eckland
Kirk Nelson
Paul Villagrana

CITY OF FLORENCE
PLANNING COMMISSION MEETING
FLORENCE MUNICIPAL CENTER, CITY HALL CHAMBERS
Thursday, October 24, 2024 at 5:30 p.m.

AGENDA

- I. Call to Order
- II. Roll Call
- III. Approval of the Minutes of the September 19, 2024 Meeting
- IV. **Old Business:**
- V. **New Business:**
 - a) **Public Hearing** – SUR 24-003 – Theodore Tudor
Request a Special Use Review for a residential unit at 431 East Main Street.
- VI. Next Meeting Date and Time: November 21, 2024 at 5:30 p.m.
- VII. Upcoming Agenda Items or Discussion:
- VIII. Adjourn



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FLORENCE PLANNING COMMISSION MEETING MINUTES
 THURSDAY, SEPTEMBER 19, 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

All Commissioners are present.

Council Representative Mergelman present.

Commissioner Selakovich states that she is officially submitting her resignation from the Florence Planning Commission due to moving outside of the City Limits.

III. Approval of the Minutes of the August 15, 2024 Meeting

Commissioner Villagrana makes a motion to approve the meeting minutes from August 15, 2024.

Seconded by Commissioner Nelson.

Roll Call: 4 Ayes The motion carries.

IV. Old Business:



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V. New Business:

- a) Public Hearing – SUR 24-002 - MountainView Homes/Jayme Newsom
Request a Special Use Review for a Professional Office at 100 East Main Street.
- Planning Director states that MountainView Homes has applied for a Special Use Review for a real estate office to be located at 100 East Main Street. The professional office would occupy a portion of the existing building, the property is in the Central Historic Business District. MountainView Homes has been situated at 203 West Main Street since October 2023, following the completion of a Special Use Review for that site. The properties on both sides of the 100 block of East Main are also in the Central Historic Business District. A real estate office meets the definition of a professional office per Section 17.08 of the Municipal Code, which is an allowed use in the Central Historic Business District by a Special Use Review. Off-street parking spaces will not be required, as exempted by Section 17.68.010 of the Municipal Code. 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 compatible with "...primarily pedestrian-oriented and support a number of retail, office, food services, community organizations." The timeline listed in the staff report was followed in advance of the meeting regarding public notification requirements.
- Chair Lenz opens the public hearing.
- Jayme Newsom explains that she is currently at 203 West Main Street and has been there for about a year. The primary issue with the location is the lack of central heating or air conditioning in the office. She asked the building owners about installing an air conditioner in her office, but they declined. She mentioned to the owners that she would install one herself, but the owners refused to extend her lease beyond twelve months. As a result, it does not make financial sense to invest in an air conditioning system if she cannot stay at the location long-term. Mrs. Newsom notes that the potential new location previously served as a bank and was most recently a clothing consignment store, which closed about a year ago and has remained vacant since. She also explains that the office will feature artwork from local artists available for purchase. Expresses that parking has been a concern but they only have one person in the office at a time.
- Chair Lenz asks for public comments.
- Richard Guy, owner of the building. States the building has been empty since last October. Historically that front area has been a bank, the building is now mixed use with two apartments on the second floor.
- Commissioner Villagrana inquires about parking for Mrs. Newsom and employees.
- Mrs. Newsom indicates that they will be able to use a parking lot to the west, across Pikes Peak Avenue, which is also owned by Mr. Guy.
- Chair Lenz closes the public hearing.
- City Council Representative Mergelman expresses concerns over the downtown area serving as a retail sales tax area.
- Mrs. Newsom states that she will obtain a state sales tax license in consideration of the art that will be on display and for sale in the office.



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Chair Lenz makes the motion to approve Special Use Review 24-002 for a Professional Office located at 100 East Main Street and recommends City Council for a final decision.

Second, by Commissioner Villagrana.

Roll Call: 3 Ayes Commissioner Angel abstains.
The motion carries.

Next meeting date - Planning Director mentions that staff will be out of town during the regularly scheduled meeting in October and asks the Commission if they would consider meeting on October 24th instead.

The Commission agrees to a new meeting date for October.

The meeting adjourned at 6:04 p.m.

By: _____
Planning Commission Chair

Date: _____

FLORENCE PLANNING COMMISSION

MEETING DATE: **OCTOBER 24, 2024**

STAFF REPORT

Agenda Item: **Public Hearing** – SUR 24-003 – Special Use Review for a residential unit within a building situated in a commercial zone district located at 429/431 East Main Street.

Department: Planning

Subject & Proposal

- **Location:** Northwest corner of North Robinson Avenue and East Main Street.
- **Applicant/Owner:** Theodore Tudor
- **Proposal:** Applicant is seeking permission to allow a residential unit at 429 East Main Street. The building is in the C – General Commercial Zone District and a residential unit is allowed only by a Special Use Review.

Site Information



- **Site Data:**
The lot is 10,512 square feet in area. The building is 3,585 square feet. Property can be accessed off North Robinson Avenue through the alley on the north side of the property. There is a paved parking lot with 12 parking spaces along with a two-car garage. The surrounding properties are zoned Commercial or R-2 - Residential

The Future Land Use map in the City's Current Master Plan shows the subject property is in the MU-HC - Mixed Use Highway Commercial.

Referral Agency Comments

Below is a summary of comments received from applicable City Departments and outside referral agencies on this application:

Florence Public Works:

No concerns.

Atmos Energy:

No comments received to date.

Florence Water Department:

Since 431 East Main Street and the property itself will remain commercial then the City's backflow requirements will still have to be maintained.

Black Hills Energy:

No comments received to date.

Florence Fire Department:

The residential unit must meet fire code. Secondary means of egress for second story bedrooms, firewall repairs and repair smoke detectors in both sides of the building.

Fremont Sanitation:

No comments received to date.

Applicable Notice of Public Hearing

The timeline below was followed in advance of this meeting regarding notification requirements:

- October 7, 2024: Notification letters were sent to property owners within 300 feet of the subject property.
- October 1, 2024: Property was posted with a Public Hearing Notice sign.
- October 5, 2024: Public 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.

Staff Comments

- The building was constructed in 1909 and has historically served as a residential duplex. In 2010, the current owner renovated the property and requested a zone change to commercial. Currently, there is an engineering firm occupying the west side of the duplex and Desert Waters Correctional Outreach on the east side.
- Each side of the duplex features two distinct entrances, one at the front and one at the rear. An access ramp is available at the rear of the building for both sides of the duplex, and each side also has a private staircase leading to the second floor.
- 429 East Main features a kitchen area on the first floor and bathrooms on both the first and second floors. The first floor potentially will have one bedroom along with two bedrooms on the second floor.
- A one-hour firewall separates the duplexes and complies with fire code. The owner has repaired holes in the wall on both sides of the units related to the fire wall. Additionally, the owner has acquired fire escape ladders for each potential bedroom on the second floor. Both the repair of the wall and fire escape ladders have been approved by the fire chief. Smoke detectors on each side of the duplex have also been updated.
- The off-street parking requirement for the residential unit (two parking spaces) is satisfied by the parking lot or garage located at the back of the building.
- The sidewalk is in good condition.

Attachments included:

- Application
- Overview Map
- Zoning Map
- Future Land Use Map and Definitions
- Pictures
- Public Notice response

Suggested Motion:

Recommend approval of Special Use Review 24-003 – permitting a residential unit within a building situated in a commercial zone district located at 429 East Main Street and recommend to City Council for a final decision.

March 31, 2022

CITY OF FLORENCE, COLORADO
SPECIAL USE REVIEW APPLICATION
(In accordance with Florence Municipal Code Section 17.60)

Has a pre-submittal conference been held-with the City of Florence regarding this application? If not, please contact the City of Florence Planning Office at 719-784-4848 Ext 7 to schedule a pre-submittal conference before proceeding with this application.

1. Date of Application: 9 / 16 / 24
2. Application Fee Required with Application: \$275.00
3. Street address of Property?
431 E Main St.
Florence, CO 81226
4. Name, Address and Telephone Number of Property Owner(s):
Theodore N. Tudor
[REDACTED]
[REDACTED]
[REDACTED]
5. Name, Address and Telephone Number of Representative:
6. What is the current use of the property? Residential Commercial
Describe:
7. Will the current use remain in addition to the proposed use that requires a Special Use Review? Yes or No
8. What is the proposed use that requires a Special Use Review?
A Residential unit and a commercial use structure

RECEIVED SEP 16 2024

PAID SEP 16 2024

9. What are the days of the week and hours of operation for the Special Use? 24/7

10. What is the existing zoning of the property? Commercial

11. How large is the property? ^{50'x140'} 0.2410 Acres or 10498 Sq. Ft.

12. What structures are currently on the property?

One Duplex
ONE Large Two Bay Garage

Will all the existing structures remain? yes or no

13. What is the size and height of any new structures proposed?
NA Sq. Ft _____ Feet High or _____ Stories High

14. Describe any proposed re-modeling of the existing structure required for the Special Use. (A building permit may be required)

NA

15. What percentage of the floor area of the existing or new structures will the Special Use occupy? 50 %

16. How many customers or patrons will the Special Use bring to the site?
NA per day and peak of _____ per hour

17. How many new vehicles will the Special Use bring to the site?
NA per day and peak of NA per hour

18. How many parking spaces are existing on the property (not on street or alley)?

12

How many new on-site parking spaces are proposed?

0

19. Will the Special Use depend upon any alley access? yes or No

SAME AS IN USE NOW
NO CHANGE

20. What effects will the proposed Special Use have on existing vehicle traffic?

NONE

21. How will the Special Use change the character of the neighborhood?

NO CHANGE

22. How will the Special Use effect the existing uses on the adjacent properties and those across the street?

NO CHANGE

23. Will the Special Use require any special security? (Additional police patrols, special lighting, security grills, alarms, etc.)

No

24. Are you requesting variance from any of the City's zoning or code requirements for this proposed Special Use? (Paving, Landscaping, Fencing, etc.)

No

25. Further explanations and additional pertinent information should be attached, if needed.

26. **Include with the application the following:**

- Copy of the deed to the property

- A site plan of the property

The site plan must include the following information:

- A. Date**
- B. Property address**
- C. Property boundaries and adjacent street / alley /sidewalks**
- D. Dimensions of property boundaries**
- E. Access points for the property**
- F. Existing and proposed man-made features, including buildings (include floor plan, access points), fences, landscaping, parking, screening, drainage plan, dumpsters, signs, driveways and dimensions of each.**

Maximum sheet size of any attachment is limited to 11x17".

By signing this application you are agreeing to the following:

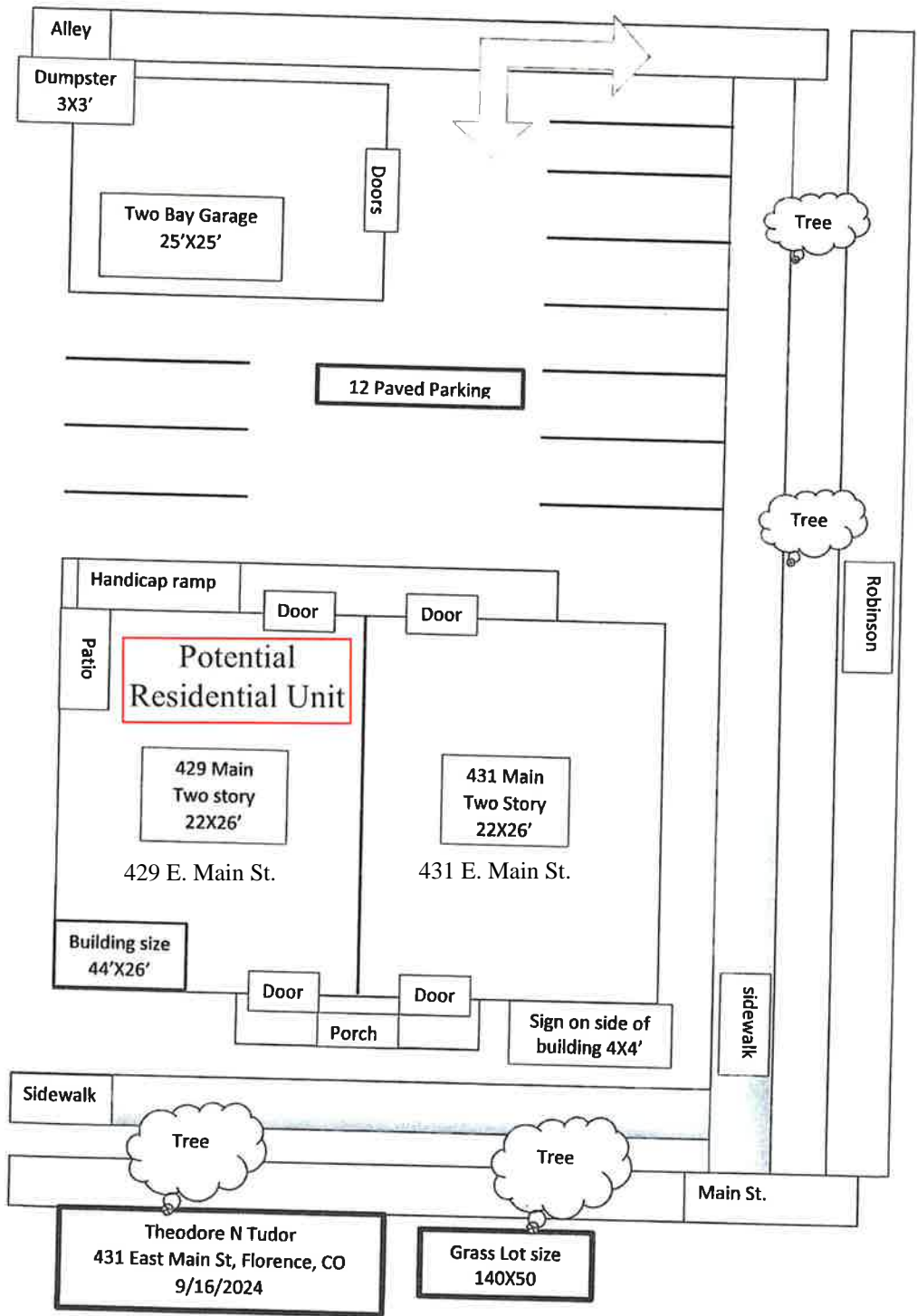
1. Certifying that the above information is true and correct to the best of your knowledge and belief.
2. Acknowledging that you understand that if any information is untrue or inaccurate this application may be rendered void.
3. Agreeing to all requirements of the City of Florence zoning and code requirements.
4. Authorizing City staff to inspect the property for compliance with applicable codes and ordinances.
5. To provide additional information as may be required by the Planning commission or City Council.

Property owner(s) signature and date:

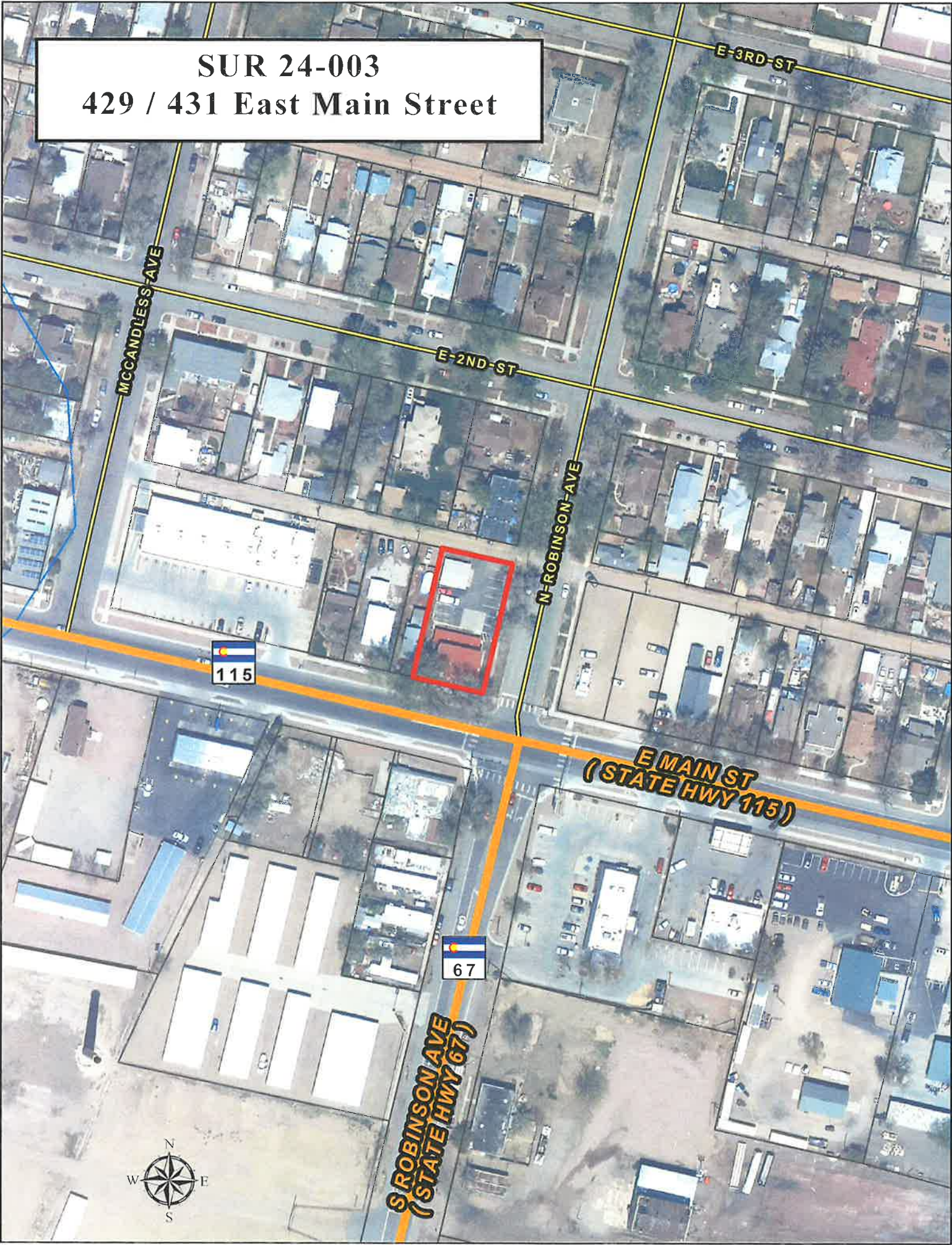
Theresa N. Taylor 9-16-2024

Representatives (if any) signature and date:

Please remit application fee to the City of Florence. This application will not be processed until the application fee is paid, all questions are answered and all attachments are included. The city staff, Planning Commission, and/or City Council may require additional information as deemed necessary. Once this application is deemed to be complete and fees have been paid, you will be notified of the initial meeting or public hearing on this application, and your responsibility for posting a public hearing notice on the property.



SUR 24-003
429 / 431 East Main Street

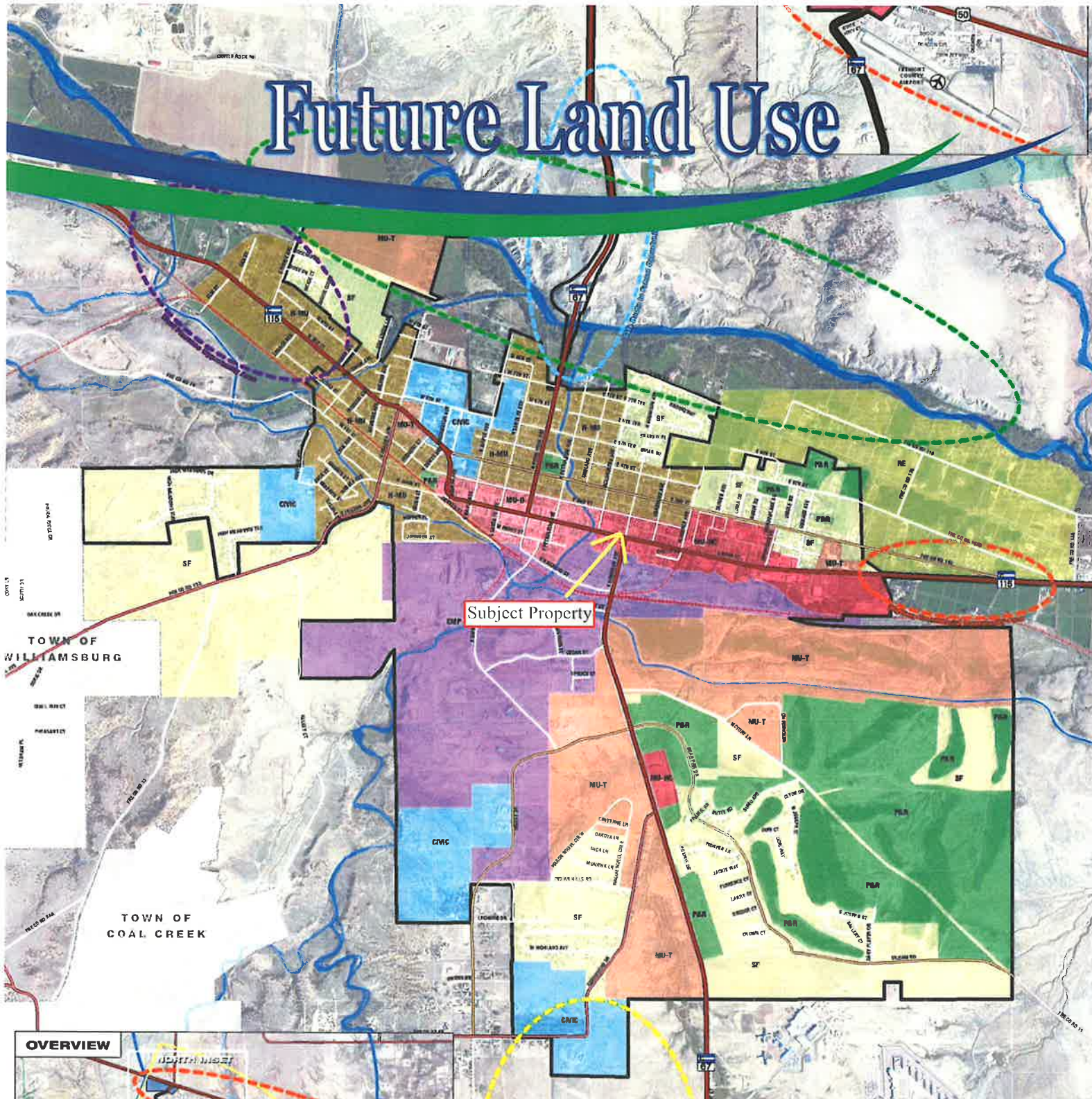




SUR 24-003
429 / 431 East Main Street

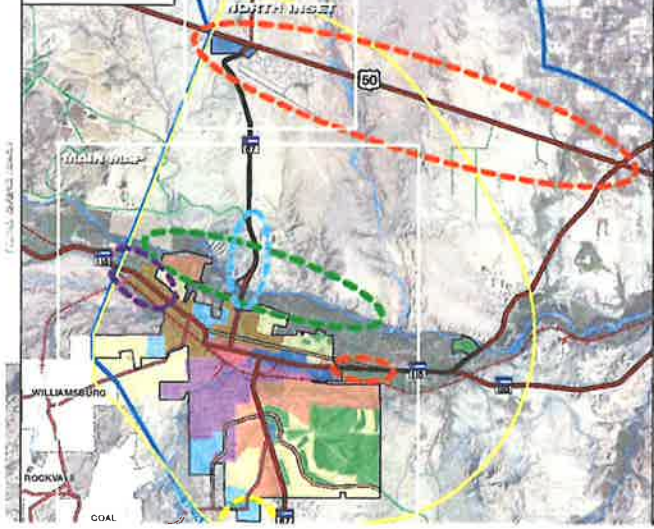


Future Land Use



Subject Property

OVERVIEW



FUTURE LAND USE PLAN

Neighborhoods

- SF Single-Family Residential
- MF Multi-Family Residential
- H-MU Historical Mixed-Use
- RE Rural Estate

Mixed-Use

- MU-D Downtown Mixed Use
- MU-T Mixed-Use Transitional
- MU-HC Mixed-Use Highway Commercial
- EMP Employment

Community

- CIVIC Civic/Quasi-Public
- PDR Parks & Recreation

OPPORTUNITY AREA

- Arkansas River
- Highway Commercial
- Safe Route to School
- South Florence Opportunity Area
- West Florence Opportunity Area

TRANSPORTATION NETWORK

- Regional Arterial
- Primary Corridor
- Collector
- Local
- Private
- Railroad
- Coke Belt Railway

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 fourplexes 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.

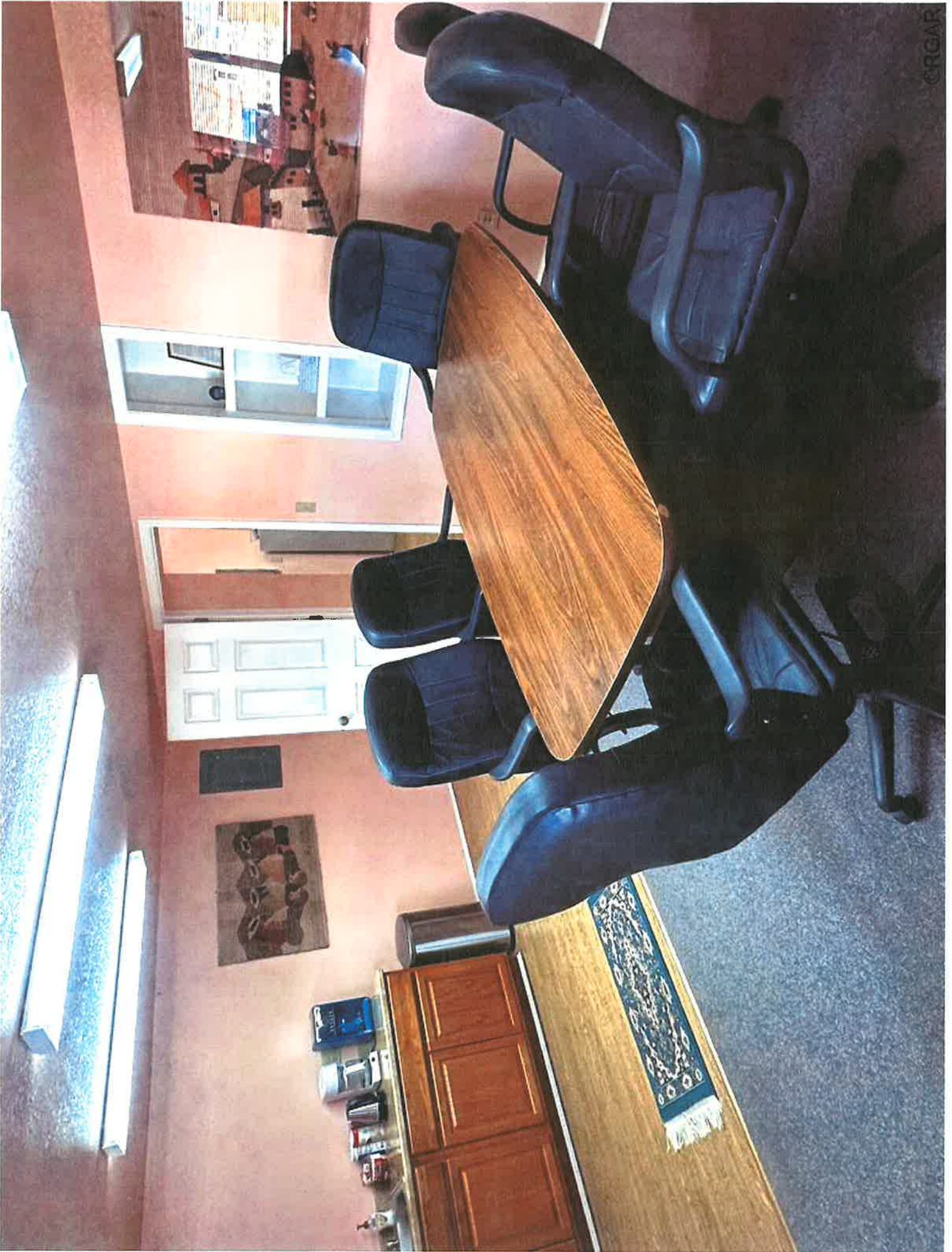
(P & R) Parks and Recreation

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

Opportunity Areas

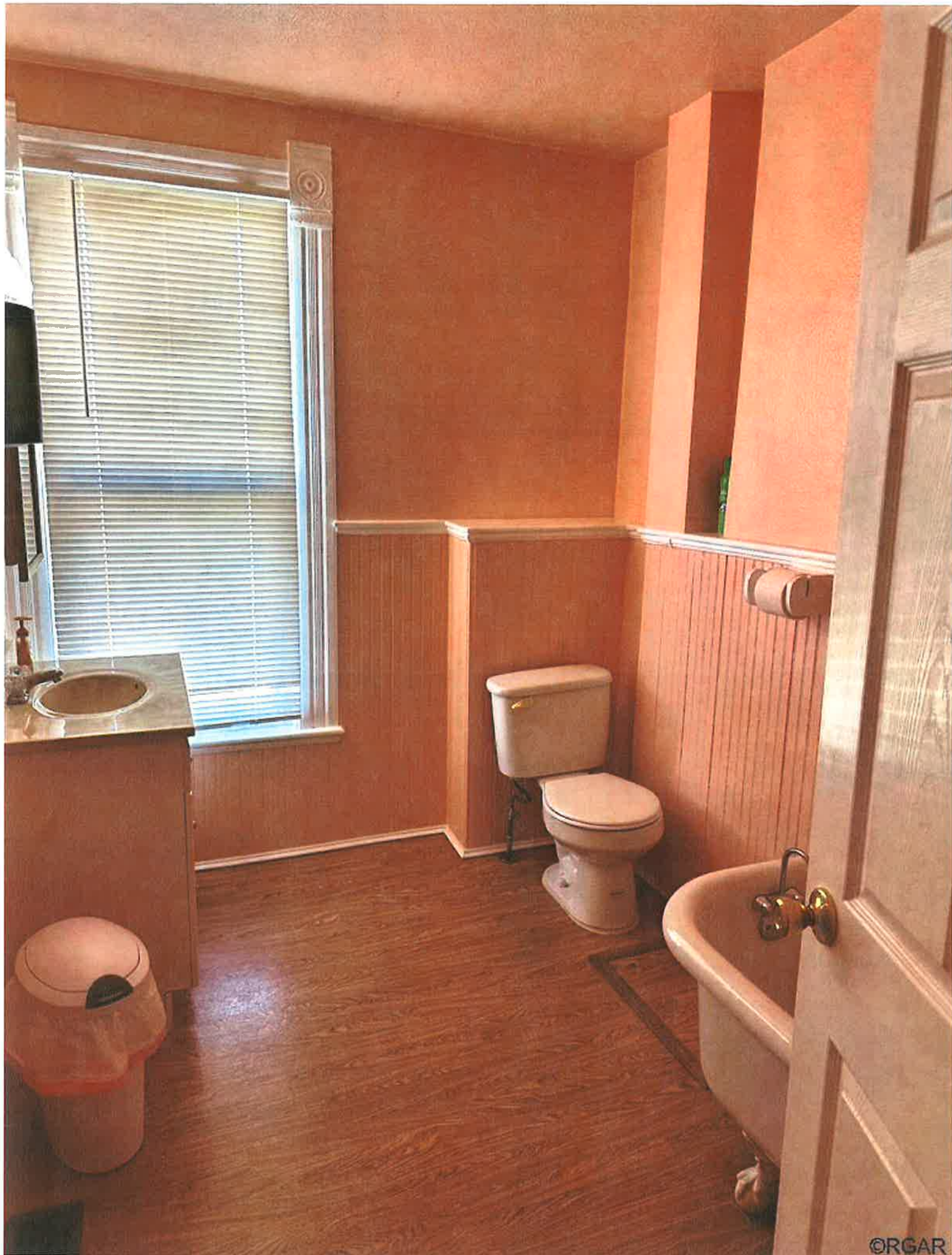
These areas represent opportunities to welcome visitors to Florence, provide strong connections to downtown, catalyst opportunities for recreation, education, tourism and represent growth opportunities through annexation. All areas offer joint planning opportunities to collaborate with the County and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















October 21, 2024

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

RE: Ted Tudor Special Use Permit for a residential unit situated in a building located in a Commercial Zone

To Whom It May Concern:

We, Dos Compadres, LLC owners of the Florence Towne Centre, located at 401 E. Main Street have a few comments in regard to Mr. Tudor's Special Use Permit. It is unclear in the letter we received as to whether the building will remain commercial and Mr. Tudor is asking just to allow him to live in the commercial building, or if the whole building will be used as a residence. We certainly welcome new commercial business in our area. We do not object to mixed-use 'zoning', as there are residences already located in this commercial zone, however, from past experiences, if just being used as a residence they need to know the impacts of living in an active commercial zone.

1. We feel that residences in a Commercial Zone may lower the commercial value to our property, and render it difficult to find potential business tenants due to concerns about privacy, noise and potential conflicts with neighboring residents.
Some of our tenants have large delivery trucks that use the alleyways and many deliveries are early in the morning. Residents should be aware of noise, smells and smoke from restaurant businesses, without complaint. Parking lot, sign and safety lighting can be an issue with neighboring tenants, as well as increased traffic and parking along Main Street during busy business hours. We hope that if Mr. Tudor's Special Use is allowed that we will not receive any complaints regarding our commercial business's daily operations.
2. A residential unit in a commercial area can also decrease our property value and negatively impact the perception of the property's value to potential buyers or investors.

In conclusion, we reiterate that our only concern is that a residential tenant in a commercial zone fully understands the impacts of living near daily business operations.

Thank you for hearing our concerns.

Sincerely,

[REDACTED]
Dos Compadres, LLC
Dba Florence Towne Centre
[REDACTED]
[REDACTED]