

AGENDA
WESTCLIFFE PLANNING COMMISSION
TOWN OF WESTCLIFFE
WEDNESDAY, JUNE 5, 2024
PATTERSON HALL-1000 MAIN
REGULAR MEETING
3:00 p.m.

ZOOM

Meeting ID: 846 6957 2406 Passcode: 860859

By phone: 719 359 4580

1. Call to Order
 2. Pledge of Allegiance
 3. Roll Call
 4. Recognition of Visitors
 5. Approval of minutes
 6. Old Business
 - None
 7. New Business
 - a. PUBLIC HEARING: Possible rezoning of BLK 12 & 13 of Shadow Ridge.
 - b. Consideration of recommending rezoning BLK 12 & 13 of Shadow Ridge.
 - c. Consideration of recommending finding a multi-family district.
 8. Public Comment
- Adjourn
- NOTE: The Mayor and another Trustee may vote on matters before the Planning Commission and the Board of Trustees.

WESTCLIFFE PLANNING COMMISSION
TOWN OF WESTCLIFFE
WEDNESDAY, MAY 1, 2024
REGULAR MEETING

-Page 1 -

CALL TO ORDER

Chairman Patterson called the meeting to order at 3:00 P.M.

PLEDGE OF ALLEGIANCE

Chairman Patterson led the Pledge of Allegiance.

ROLL CALL

The following members were present: Chairman Patterson, Mr. Fulton, Mr. Jagow, Mr. Lund, and Alternate-Mr. Van Doren

ABSENT: Mr. Wenke

OTHERS PRESENT

Barbara Gillespie, Leslie Parkes, Paul Zawacki, Caleb Patterson, and Kathy Reis

APPROVAL OF MINUTES

Chairman Patterson pointed out that the names need to be changed from Claudia Henning and Jerry Peters to Paul and Mary Zawacki.

ACTION: Mr. Jagow moved, and Mr. Fulton seconded to approve minutes as corrected. Motion carried.

OLD BUSINESS

- a. **Discuss, consider, and recommend a variance to build a 30' x 24' garage adjacent to the fence; or a 28' x 24' building 5' from the side lot line at 409 S. 5th.**

Let the record reflect the variance request is from the front lot line, not the side lot line.

After review of measurements provided by Town Manager Patterson and consideration of placement of future sidewalks, the Planning Commission agreed it was not an issue.

ACTION: Mr. Jagow moved, and Mr. Lund seconded to recommend to the Board of Trustees to allow a variance of 5' off the front of 5th Street for the property owners at 409 S. 5th. Motion carried.

WESTCLIFFE PLANNING COMMISSION
TOWN OF WESTCLIFFE
WEDNESDAY, MAY 1, 2024
REGULAR MEETING

-Page 2 -

NEW BUSINESS

- a. **Consideration of a request to recommend approving installing one or more community mailboxes on the south side of Mineral Road in Shadow Ridge in the Town right of way. Leslie Parkes**

Leslie Parkes explained the Post Office won't deliver mail to the property owners; they require a cluster box. The Post Mistress told her they would deliver to either side of Mineral Road, the mail carrier said she can't go into the subdivision, it needs to be on the corner. The location the home owners chose is open space and is the best location. That location is the safest not only for the property owners, also the mail carrier. There are one hundred seven lots in the subdivision. The cluster boxes should have been approved during the subdivision process.

Manager Patterson reported there are two ways to handle this: one would be put in in public right of way with an encroachment agreement with the Town. Two we could recommend the Board of Trustees to approve this contingent upon receiving a letter of approval from the Post Office.

Chairman Patterson stated we could recommend that the Board of Trustees approve it and if Ms. Parkes could get approval from the Post Office, it would be on the Board of Trustees agenda at the May agenda.

ACTION: Mr. Fulton moved, and Mr. Jagow seconded to recommend to the Westcliffe Trustees that Shadow Ridge can install mailboxes anywhere within the subdivision once the Post Office approves doing so. Motion failed.

Mr. Van Doren suggested that a plan should be developed not only for this situation, but future ones in the subdivision. There are too many unknowns, we need to know where the Post Office would allow them to be put. More research needs to be done prior to taking this to the Board of Trustees.

Mr. Van Doren also suggested the Manager Patterson and Ms. Parkes meet with the Post Mistress to determine where the boxes could be put.

- b. **Discuss creating a new commercial district for Vivienda Parque.**

Manager Patterson explained we don't have any current zoning, and the county doesn't either. It needs to be determined what the zoning is for the vacant lots along Bassick Place and Hermit Road. It could be zoned similar to B1 zone. It will be

**WESTCLIFFE PLANNING COMMISSION
TOWN OF WESTCLIFFE
WEDNESDAY, MAY 1, 2024
REGULAR MEETING**

-Page 3 -

NEW BUSINESS CONTINUED

a long process to rezone it. It could be a Special Commercial Zone that would need to be defined.

Chairman Patterson suggested contacting the property owners to see if they are okay to change the zoning if they bought it as residential prior to starting the process as to what their thoughts are. The lots that are built on won't change, it would only be the vacant lots.

Chairman Patterson and the committee agreed to schedule a workshop at 2:00 on June 5th prior to the regular meeting to define the district for Vivienda Parque. Manager Patterson will have suggested uses ready prior to the workshop.

c. Discuss finding more multifamily zones (re-zoning) in Westcliffe.

Manager Patterson explained he would like to rezone the lots the Town owns as multi-family. The purpose is to acquire grants to get the water and sewer infrastructure to the lots the Town owns and the other blocks in that area. The other purpose is to show the state we can put in affordable housing.

Mr. Van Doren summarized the issue: The foot print south of Hermit Park that was platted a hundred and forty years ago is unbuildable because there is no sewer or water service. You can't put a septic in, it too close to the well. That land isn't worth anything until we can get the grant to put in the infrastructure. The best chance to get the grant is rezone everything multifamily.

Paul Zawacki (property owner in that area) disagreed. The property owners bought the property as a single residential use. He and other property owners will fight it. After conversations with the manager at the time of Round Mtn., their expectations forty years ago that they would be able to get infrastructure to that area. He further stated that if the Town can bring water, sewer and electric to that corner of that block that we own, you have my word I will donate all of our land to Tunnels to Towers. It is a veteran's organization that builds housing for people that need it. If they donated the property, they would not put any restrictions on it.

Manager Patterson reported to get the engineering and the infrastructure to that area, Round Mtn. informed him it would be approximately one and a half million dollars. There is a twenty percent match for the Town, which could be up to three hundred and seventy-five. He has stakeholders that possible will contribute. The goal is to reduce the cost to the Town.

**WESTCLIFFE PLANNING COMMISSION
TOWN OF WESTCLIFFE
WEDNESDAY, MAY 1, 2024
REGULAR MEETING**

-Page 4 -

NEW BUSINESS CONTINUED

Chairman Patterson's concern was due to the water district struggling to take care of what is here, how does that work?

Mr. Van Doren stated Round Mtn. is making progress. Manager Patterson also responded; it would be a good investment for the Town. The Town would get a percentage of the money back when a water and sewer tap is put in.

Mr. Lund suggested that there be apartments, townhomes and tiny homes. It would be three tiers of affordable housing.

After further discussion a workshop was scheduled for June 5th at 2:00. Manager Patterson was asked to bring a plan based on these discussions. He will also ask the attorney to attend.

PUBLIC COMMENT:

Paul Zawacki asked to be on the June agenda and inquired if there had been any progress? Mr. Jagow stated the lights on the building have been removed, the lights on the poles between the two buildings have been removed, the poles are there. There are lights on the Ace Hardware building. Manager Patterson stated code enforcement issues should be taken to him, not the Planning Commission. He also asked that Mr. Zawacki come to my office to discuss it. Mr. Zawacki wanted it to be on record that he felt the outburst was an intent to be intimidating. Chairman Patterson pointed out they have until the 6th of May to comply.

Mr. Lund moved, and Mr. Van Doren seconded to adjourn. Motion carried.

ADJOURN

Recorded by:
Kathy Reis, CMC
Town Clerk

LAND USE CHANGE APPLICATION

rec'd
4-26-24

TOWN OF WESTCLIFFE
PO BOX 406
1000 MAIN ST
WESTCLIFFE, CO 81252

Building & Zoning Official
(719) 783-2282 Ext. 12

APPLICATION

 Variance

Zone Change

 Use by Special Review

 Vacate Lot Line

 Other

MAILING ADDRESS

Applicant Name PACCT Investments, LLC

Address: 509 Broadway Ave, APT 2

City/State/Zip Pueblo, CO 81004

PROPERTY ADDRESS

Lot # 12 and #13 shadow Ridge

Parcel # 0010081412

Parcel # 0010081413

PUD

DESCRIBE THE REQUESTED CHANGE

changing the 'Single Family Dwellings' status of
#12 and #13 lot to "Multi-Family"

Property Owners Signature

Date

Fraia Ohm

4/26/2024

Building/Zoning Officials Signature

Date

[Signature]

4/29/24

"As the applicant, you are responsible for researching and understanding any covenants and/or restrictions attached to the subject property. By submitting this application, you are attesting that the proposed use is not in violation of any covenants or restrictions on the property, or that the proposed use has been otherwise approved by the HOA, POA, or other organization that enforces covenants and restrictions attached to the subject property. The Town of Westcliffe is not responsible for enforcing private land use covenants and/or restrictions. Approval of this application does not relieve the property or the applicant from the private enforcement of any covenants and restrictions attached to the subject property."

OFFICE USE

Cash
Check

Filing Fee Paid \$ 300

Public Hearing Date

Hearing Notice Published

Property Posted

Approved Denied

#

021379

To facilitate development in alignment with the existing bylaws of the Shadow Ridge subdivision, which permit multi-family residences on lots #12 and #13.

This endeavor aims to enhance the housing stock within the Town of Westcliffe, thereby accommodating the anticipated expansion of local employment opportunities.

From: Travis O <travis.oshman@gmail.com>
Sent: Tuesday, April 30, 2024 9:19 AM
To: townmanager@townofwestcliffe.com
Subject: Re: Shadow Ridge Inquire

I believe #2 would be appropriate for our given circumstance. Let me know if you think I need to provide an explanation opposed to using the current attached explanation.

And for the building plan, it is hard to tell what we would be building without consulting with the geotechnical and structural engineering while adhering to Town of Westcliffe's regulations. I'm afraid of creating "official" drawings and being stuck with it regardless if we need to modify it down the road. It is why I tried to emphasize how this development will adhere to current regulations.

On Tue, Apr 30, 2024 at 9:06 AM <townmanager@townofwestcliffe.com> wrote:

There are a few things missing from your rezoning packet:

[https://westcliffe.municipalcodeonline.com/book?type=ordinances#name=10-1-11:Amendment Of Zoning Map \(Rezoning\)](https://westcliffe.municipalcodeonline.com/book?type=ordinances#name=10-1-11:AmendmentOfZoningMap(Rezoning))

1. Under 10-1-11 A. = it needs to follow under three of the reasons for the rezoning. Please provide one of the three reasons, and explain.
2. We need to know what you will be putting on the lot. Please provide some sort of building plans (not full plans, just lot plans- IE. Size of all buildings, how many units, parking, entrance and exit, etc).

From: Travis O <travis.oshman@gmail.com>
Sent: Monday, April 29, 2024 8:53 AM
To: townmanager@townofwestcliffe.com
Subject: Re: Shadow Ridge Inquire

I dropped off the application last Friday, so please let me know if it contains everything you need to move forward. Thanks!

On Fri, Apr 26, 2024 at 9:37 AM <townmanager@townofwestcliffe.com> wrote:

That works

Contemporary Style with 12 Bed, 6 Bath | Plan 65533

[Print](#) [Share](#) [Ask](#) [Compare](#) [Designer's Plans](#)

sq ft
5344

beds
12

baths
6

bays
0

width
60'

depth
48'



[Turn ON Image Gallery](#)

Enter Promo Code

APPLY





PLAN S-755

PLAN S-755

Floor Plan



Plan S-755

Total sq. ft.:	1,260
Upper Floor sq. ft.:	720
Main Floor sq. ft.:	540
Bedrooms:	
Bathrooms:	0
Garage Stalls:	0
Width:	132' 0"
Depth:	37' 0"
Ridge Height:	26' 3"
Foundations Available:	Slab

Galena Court

#12 Lot

1 Driveway/1 Garage
Parking Per Unit

37' x 132' (6 Units)

#13 Lot

12 Parking Spots

48' x 60' (6 Units)

One way Exit

One way Exit

Note: The final building square footage may increase by up to 5% pending an evaluation by the engineer to ascertain the feasibility of employing ICF construction while adhering to setback regulations.

10-1-11: Amendment Of Zoning Map (Rezoning)

A. **Declaration of Policy and Standards for Rezoning.** For the purposes of establishing and maintaining sound, stable and desirable development within the Town of Westcliffe, the rezoning of land is to be discouraged and allowed only under certain circumstances as provided hereafter. This policy is based on the opinion of the Board of Trustees that the Town's Zoning Map is the result of a detailed and comprehensive appraisal of the Town's present and future needs regarding land use allocation and, as such, should not be amended unless to correct a manifest error or because of changed or changing conditions in a particular area or the Town in general. Rezoning shall only be allowed if the applicant demonstrates by clear and convincing evidence that rezoning is necessary because of one or more of the following reasons:

1. The land to be rezoned was zoned in error and as presently zoned is inconsistent with the policies and goals of the Town's Master Plan.
2. The area for which rezoning is requested has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area or new approach to development.
3. 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 Town's Master Plan, and that such rezoning will be consistent with the policies and goals of the Master Plan.

townmanager@townofwestcliffe.com

From: Travis O <travis.oshman@gmail.com>
Sent: Tuesday, April 30, 2024 2:02 PM
To: townmanager@townofwestcliffe.com
Subject: Re: Shadow Ridge Inquire

You're right, for #13 lot, it requires a smaller footprint compared to #12 lot. According to the Shadow Ridge plat map, it shows 20' wide drainage on the side of the #13 lot., I suppose we can improve the redundancy to some extent.

I know it is an ambitious project that I am proposing here but I believe it adheres to the necessary setbacks per Town of Westcliffe regulations. The actual square feet might differ slightly if we take the route of ICF only if a geotechnical engineer determines the soil base to be appropriate for this type of approach.

Here's the link(s) containing the floor plan that I thought would work for our lots.

(#12 Lot)

<https://www.houseplans.pro/plans/plan/s-755>

For this one, it would require a mono roof to adhere to the maximum height of 35' per the code. **(#13 Lot)**

<https://www.familyhomeplans.com/plan-65533>

On Tue, Apr 30, 2024 at 12:42 PM <townmanager@townofwestcliffe.com> wrote:

That would be great.

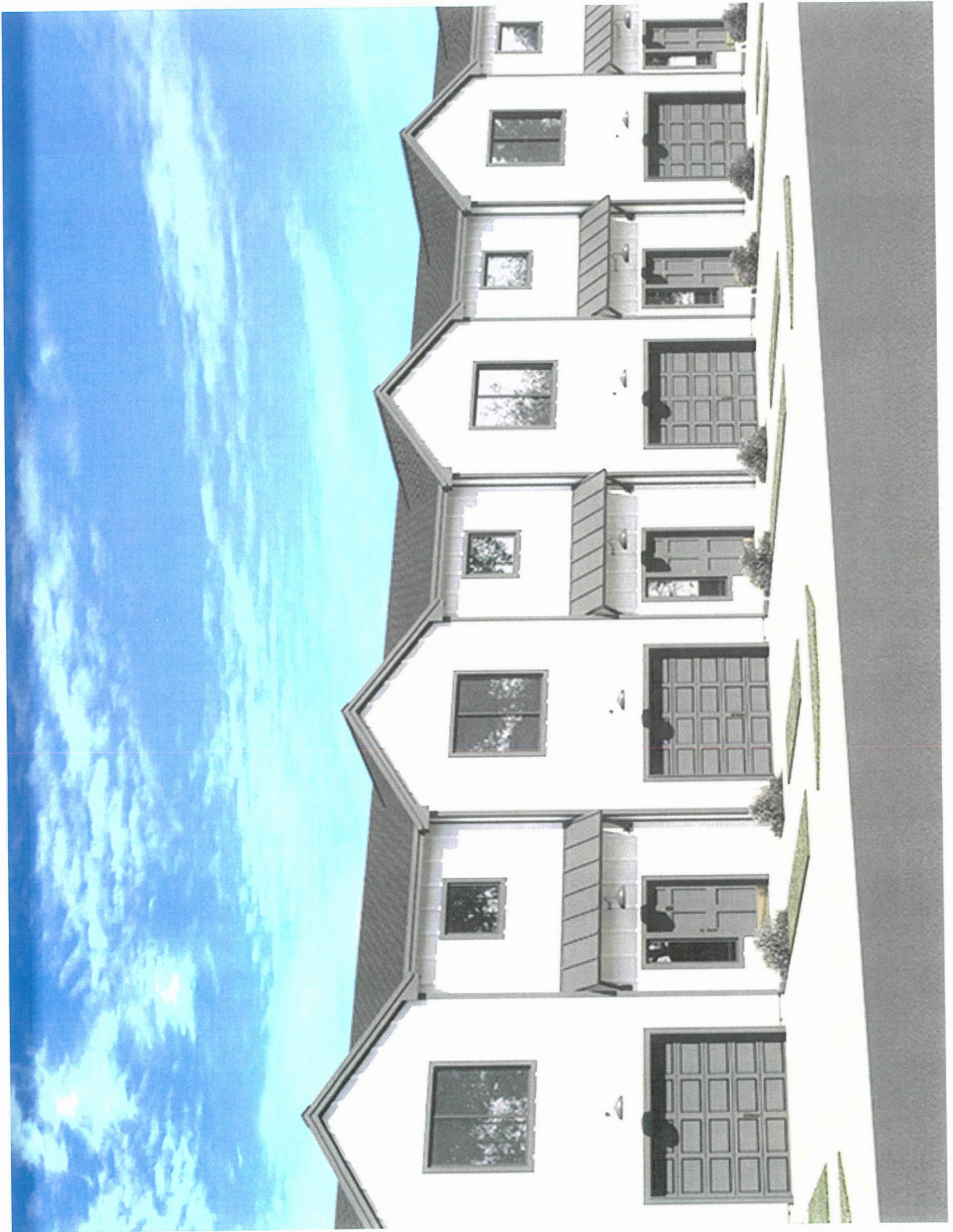
There is some pretty serious drainage that runs through that lot, I will attach the photo. We will have to address that as well.

From: Travis O <travis.oshman@gmail.com>
Sent: Tuesday, April 30, 2024 12:08 PM
To: townmanager@townofwestcliffe.com
Subject: Re: Shadow Ridge Inquire

Would 3D modeling of the approximate concept be helpful?

On Tue, Apr 30, 2024 at 11:49 AM Travis O <travis.oshman@gmail.com> wrote:







townmanager@townofwestcliffe.com

From: House Ludwig <houseludwig5423@gmail.com>
Sent: Sunday, June 2, 2024 11:40 AM
To: townmanager@townofwestcliffe.com
Cc: House Ludwig; Travis.Oshman@gmail.com
Subject: Public Hearing: PACCT Investment on June 5th at 3pm

Caleb Patterson
Building and Zoning Official
Town of Westcliffe

June 2, 2024

Hi! We are the property owners of lots #84, #85, and #86, and we submit our vote to approve Travis Oshman's proposal to build multi-family apartment buildings on some of their lots.

Our support is based on the original bylaws that state certain lots are designated for multi-family use, and they acquired those lots identified as such. We had intended to secure a lot to provide us with the same flexibility; however, they were all sold out.

Nevertheless, we hope to build an in-law apartment adjacent to our primary property when we are ready to proceed with construction. This may not happen for a long while, but it would allow us to offer support by taking care of our elderly parents.

Many thanks,

Chad and Jack Ludwig
1133 S. 9th Street
Independence, OR 97351
houseludwig5423@gmail.com

townmanager@townofwestcliffe.com

From: Bob C <bobc51@ymail.com>
Sent: Tuesday, May 28, 2024 6:03 PM
To: townmanager@townofwestcliffe.com
Subject: New structure

Dear town manager,

As owner of lot 48 in Shadow Ridge P.U.D., I would like to voice my objection to the proposed zone change for lots 12 and 13 from single family to multi family.

Sincerely,
Robert h chambers
Sent from my iPhone

Sample of petition to sign at Hermit Pavilion or if unable to attend meeting call Rose to sign petition please: 719-371-7860

NAME LOT NO./ADDRESS PHONE NO. SIGNATURE/DATE

MARTHA C. HEY

LOT 74 60 PYRITE CIRCLE

314-303-5287

I am strongly opposed to the construction of multi-story and multi-family apartment buildings in Shadow Ridge subdivision, Westcliffe, Co.

Martha C. Hey

4112 W. 91st St.

Sloux Falls, SD. 57108-634

BOLYONE@Hotmail.com

townmanager@townofwestcliffe.com

From: brian manning <manningb@bellsouth.net>
Sent: Wednesday, May 29, 2024 11:38 AM
To: townmanager@townofwestcliffe.com
Subject: Oppose apartment proposal

Caleb. I oppose the apartment's proposal in shadow ridge as I own a lot and do not approve of any change to the zoning code as well

I left a voicemail for you as well. Thanks

Let me know if you need any additional information please. Brian. Mannion

Sent from my iPhone

From: Hal Shepherd <halshep@icloud.com>
Sent: Tuesday, May 28, 2024 9:35 AM
To: christy@townofwestcliffe.com
Cc: Agatha Shepherd; Paul Wenke; bob@townofwestcliffe.com;
townmanager@townofwestcliffe.com
Subject: Zoning request for Shadow Ridge lots 12 and 13

Hello. As owners of lot 32 on Shadow Ridge we are very opposed to the rezoning request from single family to multi family. This is a nice single family subdivision in Westcliffe. We are in the final stages of approving plans for our new home to be started this summer.

As a former city manager of Hamilton, Ohio a city of 68,000 and Cortez, Colorado, I have 35 years of experience in planning and zoning. In my previous jobs I would never have allowed a developer to submit such a small single family plat with multiple family lots to be included. This subdivision is not large enough for both types of housing. I have done 500 and 600 single family units and we only permitted multiple family units on the fringe of the subdivisions and certainly not next to any single family lots. This request could be considered spot zoning which is illegal. It's certainly poor planning in this small parcel.

Please do not consider approving this zoning request. It's wrong and not good planning. Thank you for your consideration.

Hal and Agatha Shepherd
181 South Hennequin Creek Drive
Westcliffe, Colorado 81252
970-749-3054
Sent from my iPad=

From: Robert Wolf <robertwolf@comcast.net>
Sent: Sunday, May 26, 2024 2:59 PM
To: townmanager@townofwestcliffe.com
Subject: Proposed Rezoning of Lots 12 and 13 in Shadow Ridge PUD

Hi Caleb

My wife, Pam, and I purchased lots 44, 45, 46, 47 and built our home on lot 47 in the Shadow Ridge PUD between 2018 and 2019. From 2006 until the present day, 103 of 109 lots in Shadow Ridge have been consistently zoned for single-family dwellings while 6 lots have been zoned for a limited number of commercial uses. Since 2006, none of the lots in Shadow Ridge have been zoned to permit multi-family residences. Pam and I were therefore confident that we had purchased our lots and built our home in a low-density, single-family residential community.

As you are aware, PACCT Investments, LLC, of Pueblo, Colorado, recently purchased 9 lots in Shadow Ridge. PACCT has declared its intent to build multi-story, multi-family buildings on two of the lots that they own (lots 12 and 13). PACCT has submitted a proposal to the Planning Commission to rezone lots 12 and 13 from single-family to multi-family dwellings. They have submitted architectural drawings that propose structures of 2 to 3 stories in height.

I am vehemently opposed to PACCT's proposed zoning change because it will fundamentally change the environment of the Shadow Ridge PUD by increasing:

- Population density
- Traffic
- Noise and light pollution
- Demand for parking space
- Volume of waste water for an over-burdened treatment plant

In addition, construction of multi-story buildings in a community of primarily single-story ranch-style homes will obstruct scenic views of the Sangre de Cristo Range currently enjoyed by many residents of Shadow Ridge.

I sincerely hope the Planning Commission rejects PACCT's proposal to rezone lots 12 and 13 to permit construction of multi-family dwellings. Approval of PACCT's proposed change in zoning would betray the many property owners in Shadow Ridge who chose a low-density, single-family residential community. It would establish a precedent for PACCT to rezone and develop their other 7 lots as multi-family dwellings, further increasing congestion in Shadow Ridge.

Sincerely,
Bob Wolf
80 East Calcite Court, Westcliffe, CO

townmanager@townofwestcliffe.com

From: Mike <madriding1@comcast.net>
Sent: Sunday, May 26, 2024 4:19 PM
To: townmanager@townofwestcliffe.com
Cc: Michael Riding; Sunshine
Subject: Oppose apartment buildings

Hello

Michael and Sarah Riding strongly oppose to changing the covenants to allow apartment buildings (multi family units) on lots 12 and 13.

Address: 30 Carbide Ct.

Sincerely
Michael and Sarah Riding
719-459-0892

townmanager@townofwestcliffe.com

From: Nancy Pike <npikel@yahoo.com>
Sent: Monday, May 27, 2024 12:14 PM
To: christy@townofwestcliffe.com; paul@townofwestcliffe.com; bob@townofwestcliffe.com; chris@townofwestcliffe.com; chuck@townofwestcliffe.com; townmanager@townofwestcliffe.com; vandoren@townofwestcliffe.com
Subject: Letter of rejection of proposal to change/rezoning of lots 12 and 13 in Shadow Ridge Subdivision

May 27, 2024

Westcliffe Planning Commission Email Distribution List: Christy Patterson -Chairman

Christy@townofWestcliffe.com

Mayor - Paul Wenke paul@townofwestcliffe.com

Trustee -Bob Fulton bob@townofwestcliffe.com

Citizen -Chris Lund chris@townofwestcliffe.com

Citizen Chuck Jagow -chuck@townofwestcliffe.com

Staff Member- Caleb Patterson-Town Manager Building and Zoning Official

townmanager@townofwestcliffe.com

Alternate John Van Doren-Citizen

vandoren@townofwescliffe.com

Dear Commission Members and mayor, My name is Nancy Pike. I purchased a home located on lot 21 PUD approximately 2 years ago. The lot I purchased is zoned single family, also the lots across from me and the ones to the left and right of me are zoned single family. Because of my **health issues** (heart and partial blindness) When I bought my home I believed Shadow Ridge would be the place I wanted to live for the rest of my life. I am an elderly resident (as are many of the residents in our subdivision) Shadow Ridge Subdivision has covenants that keep high density population out and does not allow overcrowding. I can walk my dogs around the street meeting my neighbors and exchanging conversations. Limited traffic and noise allow me to sit in my backyard and enjoy birds, deer, and ground squirrels. It's a wonderful place to live as it is **NOW** and is written with rules of the covenant for **perpetuity**. The building of multi-complexes has me concerned for my own **general welfare**. Recently, PACCT Investments, LLC of Pueblo, Colorado, purchased multiple lots in Shadow Ridge. PACCT has declared its intent to build multi-family dwellings. The proposal to the Planning Commission to rezone lots 12 and 13 from single family dwellings to multi-family dwellings is an assault on my general welfare must **STOP**. The covenants I was shown and believed in are being questioned by outsiders. They **do not occupy homes** in Shadow Ridge Subdivision. I believe this proposal is deceitful and a betrayal of my trust in forces that are even considering such an erroneous proposal. The value of my home and others would plummet. I bought at a fair price within Shadow

From: Jeff Weyand <jjweyand@hotmail.com>
Sent: Monday, May 27, 2024 1:19 PM
To: townmanager@townofwestcliffe.com; christy@townofwestcliffe.com;
paul@townofwestcliffe.com; bob@townofwestcliffe.com; chris@townofwestcliffe.com;
vandoren@townofwestcliffe.com
Subject: The Land Use Change Application submission of PACCT Investments, LLC regarding Lots
12 & 13 of the Shadow Ridge Subdivision Ridge

Greetings Madam Chair and members of the Westcliffe Planning Commission:

My name is Jeff Weyand. My wife Kathy and I own the properties in this subdivision at 60 Quartz Court, and 115 Mineral.

We have become aware of the above-mentioned land use change application and advise that we object the to the proposed change. The land and properties in this subdivision are currently zoned for single family residences. We would ask that this zoning requirement remain in full force. The residents in this community have spent significant money to purchase property and residences and would most probably suffer a significant loss to our property values should the multifamily apartments be allowed.

Our understanding is that this developer, once achieving a zoning variance or change, will then seek additional such changes to other lots in this subdivision. This creates an unattractive situation in the community of having residents that have absolutely no responsibility or dedication to the community, as the owner of the property will not be even partially resident in the community. Further it creates a high-density residency strain in the community with a significant increase in traffic and use of commercial and private goods.

Further, it is our understanding that the water, sewer and power infrastructure in this arear are already stressed and stretched thin, and the addition of multifamily structures would cause further strain or potentially cause collapse.

I would suggest that the developer in this matter locate properties that the zoning and planning commission have already designated as multifamily residence areas, or that they potentially build multifamily apartment buildings in their neighborhoods in Pueblo. I do not believe that these developers request for change is of any benefit to this community or to Westcliffe, and has only achieved raising the consternation and ire of the community.

If there is a petition being circulated on this matter that calls for a signature in objection, please make it known to me where it is located, and I shall happily add my signature. Alternatively, please allow this email to stand as my objection to the developers petition to change. I am planning to attend the scheduled meeting on this matter, should a voice or show of hand vote be conducted. We respectfully ask that you deny these developers request to change the zoning on the above listed parcels.

Sincerely

Jeff and Kathy Weyand
60 Quartz Ct.
Westcliffe, CO 81252

From: Pam Wolf <pmkwolf@gmail.com>
Sent: Monday, May 27, 2024 5:41 PM
To: townmanager@townofwestcliffe.com
Subject: Proposed zoning change in Shadow Ridge

Caleb,

My name is Pam Wolf. My husband, Bob, and I purchased multiple lots in Shadow Ridge and built a home in 2019. At the time of purchase (through today, May 27, 2024) there have been no lots in Shadow Ridge that are zoned for multi-family homes. Living in a single-family, low-density residential community has always been a priority deciding where we live.

It is my understanding that PACCT Investments, LLC owns 9 lots in Shadow Ridge and is now requesting zoning changes to allow them to build multi-story, multi-family buildings on two of these lots. Again, the intended use of these lots since 2006 has consistently been single-family, residential use.

I strongly object to the change in zoning requested by PACCT that would allow multi-family dwellings on any of the lots in Shadow Ridge that are zoned for single-family, residential use. This includes all of the 9 lots owned by PACCT. Allowing PACCT to move forward would not only have a negative impact on traffic, parking, noise and light pollution, but it would devalue our home and property and would negatively alter the view from our home along with many others. Instead of an incredible view of the mountains from our home we would see apartment buildings.

Take a moment and consider how you would feel if this was your neighborhood. Please deny PACCT's proposal to rezone lots 12 and 13 or any of the lots they own in Shadow Ridge.

Sincerely,
Pam Wolf
80 East Calcite Court
Westcliffe, CO

townmanager@townofwestcliffe.com

From: Raymond Holley <rsholley446@gmail.com>
Sent: Saturday, May 25, 2024 10:10 AM
To: townmanager@townofwestcliffe.com
Subject: Rezoning of Shadow Ridge Subdivision

Caleb Patterson, Building & Zoning Official

We (Sherry & I) are strongly opposed to the proposed rezoning of Shadow Ridge Subdivision to accommodate multiple family , multiple story buildings. Our neighborhood is not suited to this change. We do not have the streets to handle the increase of traffic volume. This would also adversely affect our property values & overall quality of life in a single family neighborhood.

Please do not submit this rezoning request to the Board of Trustees.

Thank you.

Ray & Sherry Holley
35 Quartz Court
Westcliffe, CO 81252
970-270-4505 (Ray)
970-270-2068 (Sherry)

5/24/24
Hermit Pavilion

PETITION FOR REJECTION

REZONING APPLICATION LOTS 12 & 13 AND PUBLIC HEARING JUNE 5, 2024
SHADOW RIDGE SUBDIVISION

The application by PACCT Investments, LLC (PI, LLC) to rezone lots 12 & 13 from low density single family to high density commercial multifamily apartments is not acceptable by current property owners and taxpayers residing in the Shadow Ridge Subdivision for the following reasons and comments as a minimum:

Proposed Zoning Change is not consistent with the original intent and comprehensive plan for Shadow Ridge which is low density single family homes and should be denied.

Lots 12 & 13 are two of the smallest lots and are impacted by a drainage structure/open space area which restricts the building footprint and impacts density. Low impact multi-family (i.e. attached owner occupied patio homes) may be more suitable.

There is sufficient land available for high density commercial multifamily apartment buildings in Westcliffe including lots 1 – 6 in Shadow Ridge which are zoned commercial. Apartment dwellings that collect rent are a form of commercial development and thus should be located away from Shadow Ridge low-density single-family homes. This is particularly true of multi-family dwellings greater than 4 units.

There is no NEED for a Zoning Change which must be detailed by the applicant PI, LLC and must prove that there is a change in circumstances. This has not been completed with the extremely brief application provided by the LLC.

The Zoning Change is not consistent with surrounding privately owned residential properties and will result in a greatly diminished property valuation for such properties. Resale of homes or even lots near the proposed apartments will be difficult due to negative impact.

The Proposed Zoning Change will significantly impact the quality of life of Shadow Ridge residents. Examples are noise, increased traffic, on street parking, lighting for apartment building exterior, safety issues, crime, visual negativity. We are a "Dark Skys" community and many of us view the stars with telescopes – Apartment lighting would detract from this activity at Shadow Ridge.

The request for a Zoning Change comes from an outside commercial contracting entity and not from within the Shadow Ridge community. The PI, LLC is in business to make money from rentals and thus a zone change would only be beneficial to them and certainly not to the tax paying residents of Shadow Ridge or the Westcliffe Community.

The Proposed Zoning Change will no doubt set a precedent for other lots within Shadow Ridge to be Rezoned to multifamily high density for apartments. This may be a future plan for the PI, LLC group as they own multiple lots within Shadow Ridge.

The character of the Shadow Ridge Community will be changed forever if this misguided application for Rezoning lots 12 & 13 is approved.

Sample of petition to sign at Hermit Pavilion or if unable to attend
 meeting call Rose to sign petition please: 719-371-7860

NAME	LOT NO. / ADDRESS	PHONE NO.	SIGNATURE / DATE
Clyde Jack Thompson	Lot 37A (37+38) → 570 Mineral Rd.		
Cannie K. Thompson	Lot 36 → vacant lot		
719-371-2894 -2895	Lot 23 → 20 Kryptonite Ct.		
			Clay J. Thompson 5/21/24
			Cannie K. Thompson 5/21/24
JOAN BROADSTON #52	5E. CALCITE CT	719-285-3397	Joan Broadston
Nancy Pike #21	780 Pyrite Circle	720-882-7661	Nancy Pike
Alice Henderson #20	250 Pyrite Circle	237-9298	Alice Henderson 5/21/24
Rose Fröbel	lots 8-9-10-11 30 Galena ct.		Rose Fröbel 5-24-24
Ron Fröbel	lots 8-9-10-11 30 Galena ct		Ron Fröbel 5-24-24
Kat Johnson	lot #19 320 Pyrite Cir		Kat Johnson 5/24/24
Tina Johnson	lot 19 220 Pyrite Cir		Tina Johnson 5/24/24
JOHN PRICE	60N. Calcite Ct	719-661-7619	John Price
Apotha Shepherd	Lot 32	3039210237	Apotha Shep
Hal Shepherd	Lot 32		
Barbara Gillespie	10 Kryptonite Ct (509) 554-3495		Barbara Gillespie
Jaloni Myhre	100 Granite Ct (360) 908-1155		Jaloni Myhre
Jolie Epp	330 Mineral Rd. (402) 364-3179	(103)	
Donna Wilkes	325 Mineral Rd	719 4585123	(Lot 55)
Johna Betty Bohling	300 Mineral Rd	9725331589	LOT 109

R-7
5-24-24

Sample of petition to sign at Hermit Pavilion or if unable to attend meeting call Rose to sign petition please: 719-371-7860

NAME	LOT NO. / ADDRESS	PHONE NO.	SIGNATURE/DATE
Janice Hall	61 US Quartz Ct	605 751 6571	Janice Hall 5/24/24
Kevin Hall	61 US Quartz Ct	605 886 4015	Kevin Hall 5/24/24
Clay Myhre	#7 100 Granite Ct.		Clay D. Myhre
KRIS KAHN	80 KRYPTONITE CT		Kristen Kahn
Eva Middendorf	160 Pyrite Ct		Eva Middendorf 5/24/24
RICH SMITH	#73 30 PYRITE		Rich Smith 5/27/24
Mark E. Middendorf	160 Pyrite		Mark E. Middendorf 5/24/24
Jon + Amanda Ceser	#4 55 Granite Ct		Jon + Amanda Ceser 24 May 24
Hayli + Caden Creamer	70 Kryptonite Ct #26		Hayli Creamer
Karen Barton + Karen Byrge	Lot #25	615-812-9142	Karen Byrge
Tammy Vidmar	Lot #18 200 Pyrite	719-371-2459	Tammy Vidmar
Ray Holley	35 Quartz Ct.	970-270-4506	Ray Holley
Sherry Holley	35 Quartz Ct.	970-270-2068	Sherry Holley
Lauren Dwyer	585 Mineral Rd	860-861-6830	Lauren Dwyer
George Dwyer	585 Mineral Rd	860-884-0682	George Dwyer
Robert Wolf	80 East Calcite Court		Robert Wolf
Pamela Wolf	80 East Calcite Ct		Pamela Wolf

Auren Dwyer

Sample of petition to sign at Hermit Pavilion or if unable to attend meeting call Rose to sign petition please: 719-371-7860

NAME LOT NO./ADDRESS PHONE NO. SIGNATURE/DATE

Clyde Jack Thompson Lot 37A (37+38) → 570 Mineral Rd.
Connie K. Thompson Lot 36 → vacant lot

719-371-2894
-2895

Lot 23 → 20 Kryptonite Ct

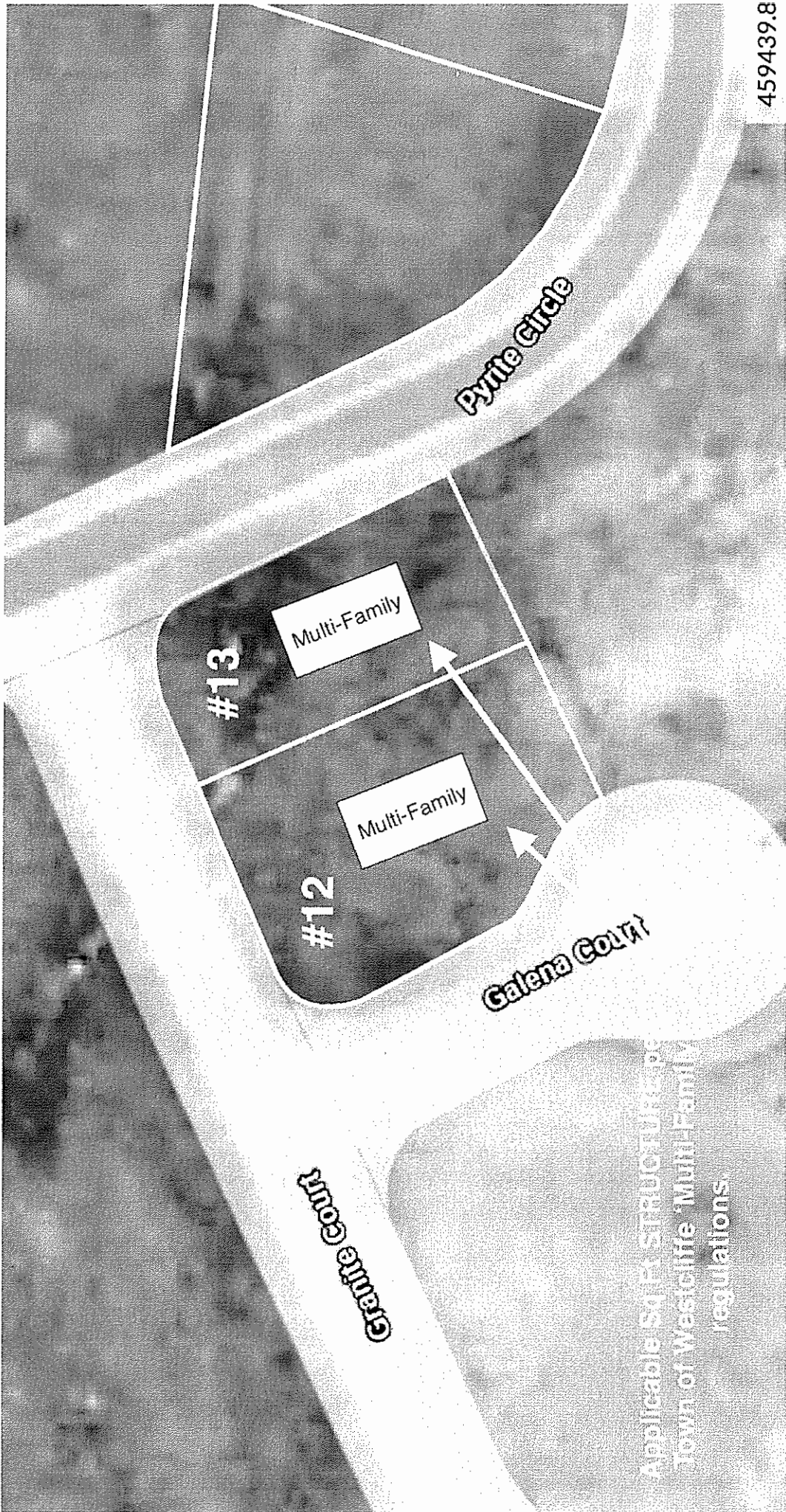
Clyde J. Thompson 5/21/24

Connie K. Thompson 5/21/24

Kristin Dalla #35 25 Carbide Ct. 303-902-5173 Kristin Dalla 5/27/24

Leslie Parkes 85 Mineral Rd. ⁷¹⁹⁻371-6918 Leslie Parkes 5/27/24

James Parkes 85 Mineral Rd. ⁷¹⁹⁻295-5818 James Parkes 5/27/24



459439.8

Applicable Sq Ft STRUCTURE PER
Town of Westcliffe Multi-Family
regulations.

Multi-Family Housing District

1. **Description of District.** This District is designed to accommodate work force housing, affordable housing, senior housing, and veteran housing. The Town of Westcliffe recognizes it's small footprint and is designing this district to allow for **more** housing and **growth** in the Town. This zoning designation covers all lots South of Hafford Avenue.
2. **Designation of lots.** Blocks 33 and 34 shall be apartments and condos as described in 10-1-6 in definitions and shall not exceed 4 stories in height. Blocks 20 and 19 shall be Town homes and apartments not to exceed two stories. Blocks 17 and 18 shall be reserved for **single story Townhomes** or tiny homes, defined in 3-6-1, veteran housing, and houses than can be built on a single lot excluding trailers.

3. **Area height and standards:**

Blocks 33 and 34: Structure may extend to one hundred percent of the lot area, given that there is a paved parking lot to accommodate parking needs. One parking spot per dwelling with and influx parking area of 10% of the total number of dwellings.

Building height: 45 feet

Minimum lot area: 12,500 square feet

Blocks 20 and 19: Structure may extend to one hundred percent of the lot area, given that there is a paved parking lot to accommodate parking needs. One parking spot per dwelling with and influx parking area of 5% of the total number of dwellings.

Building height: 35 feet

Minimum lot area: 6,250 square feet

Blocks 17 and 18: Townhomes and tiny homes must have an off-road parking area to accompany two parking spaces per dwelling. Tiny homes must comply with chapter 3-6-1 of the Town of Westcliffe Municipal Code.

Building height: Must not exceed 25 feet

Minimum setbacks:

Front yard: 10 feet

Side yard: 0 feet, if fire proof rated

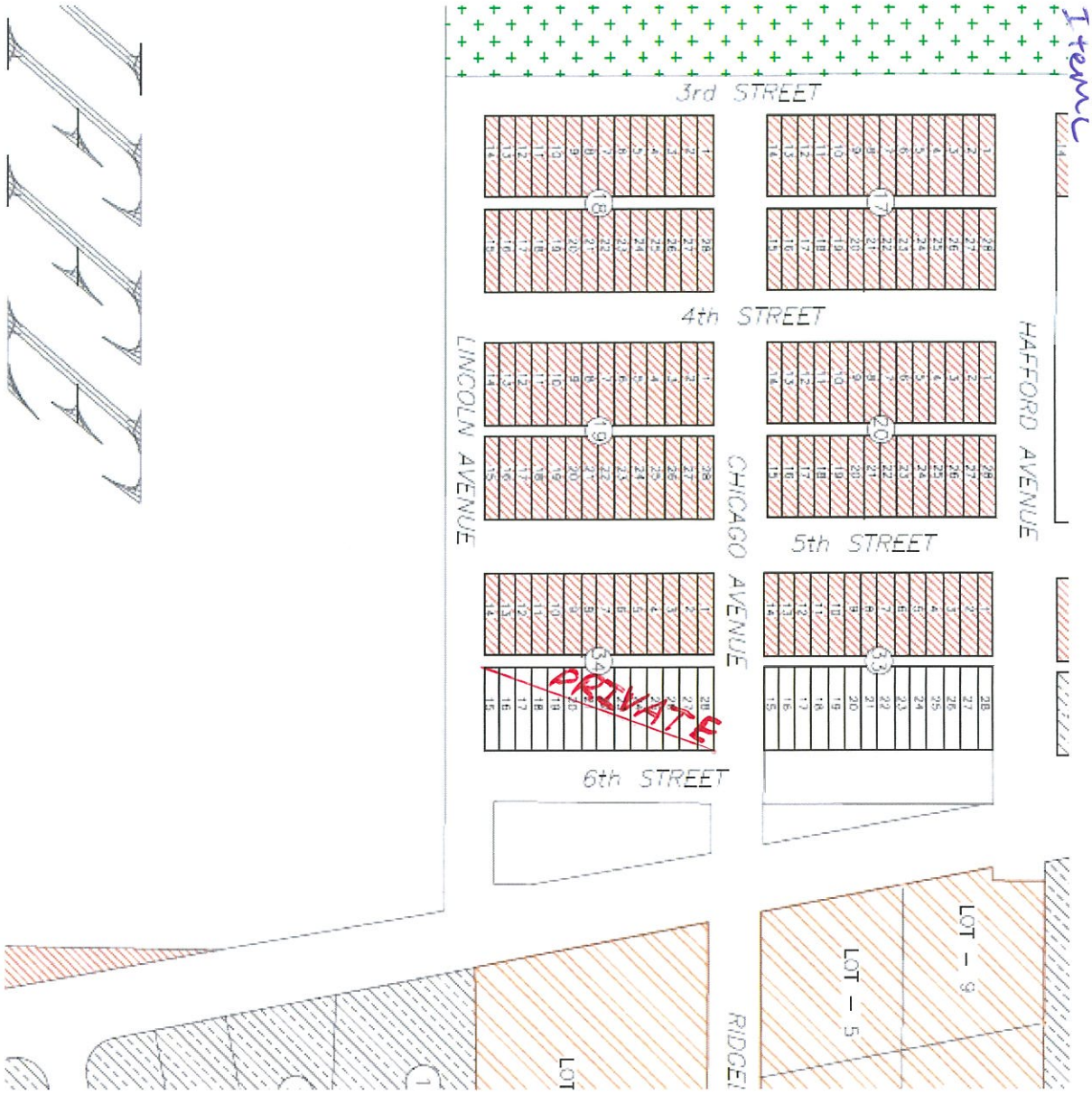
Rear yard: 10 feet (5 feet on alley)

Minimum lot area: 3,125 square feet

Item C

USE	A	R-SF	R-MF	MH	CC	HC	HI	PUD	PUD B-1	PUD B-2	TN	MFD
0.01 Single family one up to two attached or detached Dwellings	R	R	P	P	S	P	P	A	P	P	R	R
0.02 Three up to six family Dwellings	P	S	R	P	S	P	P	A	P	P	R	R
0.03 Dwellings for six or more families	P	P	R	P	S	P	P	A	P	P	P	R
0.04 Mobile homes	P	P	P	R	P	P	P	P	P	P	P	P
0.05 Mobile home parks	P	P	P	R	P	P	P	A	P	P	P	P
0.06 Accessory Structures and Uses	R	R	R	R	R	R	R	A	P	P	R	S
0.07 Home Occupations	R	R	R	R	S	P	P	A	P	P	R	P
0.08 Churches	S	R	R	S	S	S	P	A	P	P	R	P
0.09 Public Schools	S	R	R	P	P	P	P	A	P	P	P	P
0.1 Golf courses	S	P	P	P	P	P	P	A	P	P	P	P
0.11 Public parks	S	R	R	R	R	P	P	A	P	P	R	S
0.12 Animal grazing	R	P	P	P	P	P	P	A	P	P	P	P
0.13 Mining	S	P	P	P	P	P	S	A	P	P	P	P
0.14 RV Park	P	P	P	P	P	S	P	A	P	P	P	P
0.15 Farming and ranching	R	P	P	P	P	P	P	A	P	P	P	P
0.16 Feed yards and fur farms	R	P	P	P	P	P	P	A	P	P	P	P
0.17 Veterinary hospitals and kennels	R	P	P	P	S	R	P	A	P	P	P	P
0.18 Riding stables	R	P	P	P	P	P	P	A	P	P	P	P
0.19 Airports	S	P	P	P	P	P	P	A	P	P	P	P
0.2 Cemeteries	S	P	P	P	P	P	P	A	P	P	P	P
0.21 Radio broadcasting stations	S	P	P	P	S	S	S	A	P	P	R	P
0.22 Sanitary landfill operations	S	P	P	P	P	P	P	A	P	P	P	P
0.23 Sewage disposal plants	S	P	P	P	P	P	S	A	P	P	P	P
0.24 Lumber mills	S	P	P	P	P	P	S	A	P	P	P	P
0.25 Quarries, sand and gravel operations and concrete batch plants	S	P	P	P	P	P	S	A	P	P	P	P
0.26 Retail establishments entirely enclosed within a structure	S	P	P	P	R	R	S	A	R	P	R	P
0.27 Personal service businesses entirely enclosed within a structure	S	P	P	P	R	R	P	A	R	P	R	P
0.28 Banks and Credit Union	P	P	P	P	R	R	P	A	R	P	R	P
0.29 General offices	P	P	P	P	R	R	S	A	P	P	R	P
0.3 Government buildings	P	S	S	P	R	R	S	A	R	P	R	P
0.31 Lodging	P	P	P	P	R	R	P	A	R	P	R	P
0.32 STR1	R	R	R	R	R	R	P	R	R	R	R	P
0.33 STR2	S	S	S	S	R	R	P	R	R	R	R	P
0.34 Eating and drinking places	P	P	P	P	R	R	P	A	R	P	R	P
0.35 Drive-in eating and drinking places	P	P	P	P	S	R	P	A	P	R	P	P
0.36 Theaters and auditoriums	P	P	P	P	R	R	P	A	R	P	R	P
0.37 Parking lots	S	S	S	S	S	S	R	A	R	P	R	S
0.38 Museums	S	S	S	S	S	S	S	A	R	P	R	P
0.39 Dwelling units above, below, or behind the business	P	P	P	P	R	R	S	A	R	R	R	P
0.4 Rental of goods with a weight of no more than 200 pounds	P	P	P	P	R	R	R	A	R	P	R	P
0.41 Light equipment repair and service stations	P	P	P	P	P	R	R	A	P	R	P	P
0.42 Automobile sales, rental or service	P	P	P	P	P	S	R	A	P	R	P	P
0.43 Agricultural/heavy equipment sales or service	S	P	P	P	P	S	R	A	P	R	P	P
0.44 Building material and lumber sales	P	P	P	P	P	S	R	A	P	R	P	P
0.45 Public utility stations	S	S	S	S	S	S	R	A	P	R	R	P

PLAN



Itence

BLK: 19420





BLK 17 & 18

1700M

Steve C

BLK: 17 & 18



BLK 33 & 34

