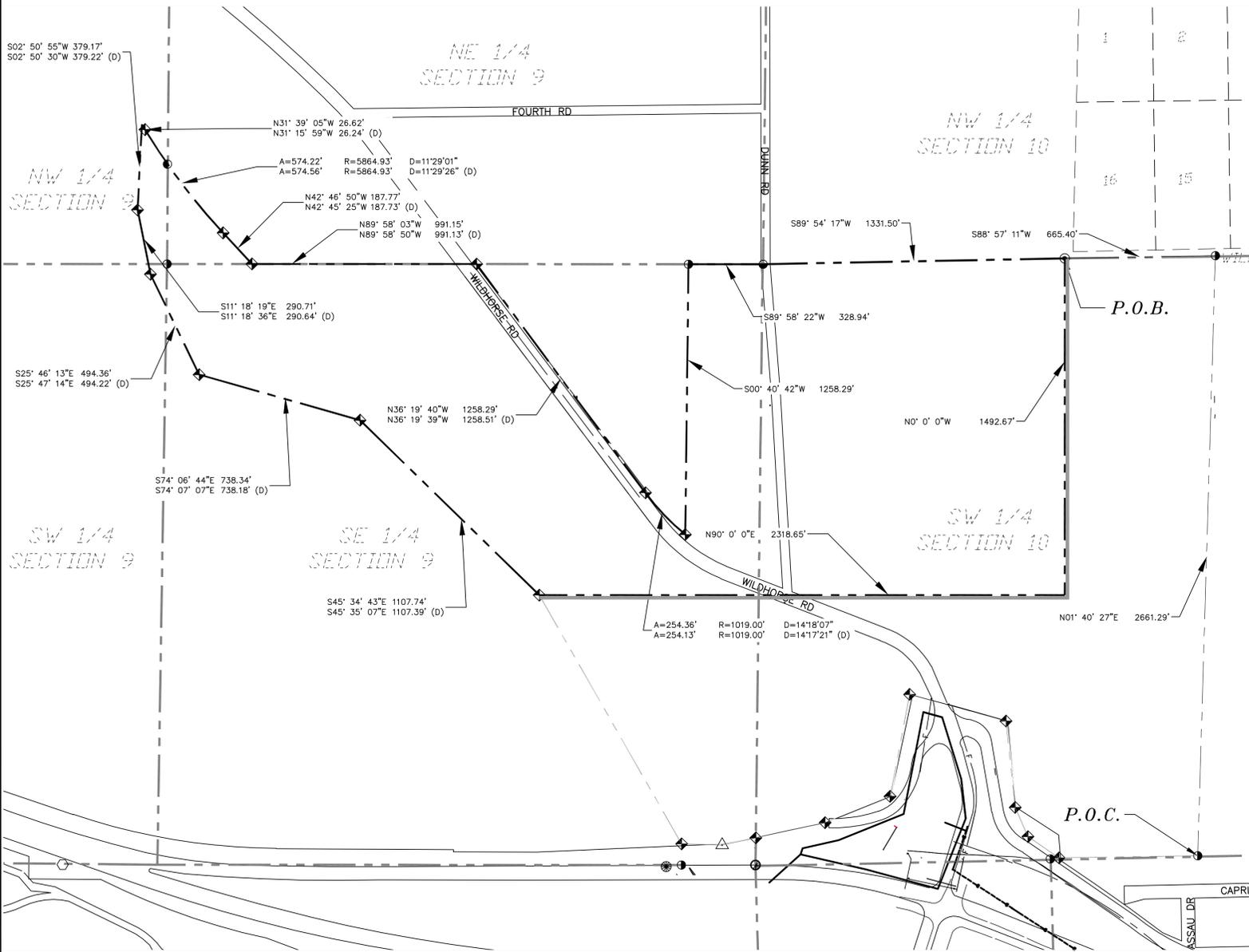


WILDHORSE ANNEXATION 2 ANNEXATION TO THE CITY OF PUEBLO

A PORTION OF THE SE 1/4 OF THE NW 1/4, A PORTION OF THE NE 1/4 OF THE SW 1/4 AND A PORTION OF THE E 1/2 OF SECTION 9 AND A PORTION OF THE W 1/2 OF THE SW 1/4, A PORTION OF THE W 1/2 OF THE E 1/2 OF THE SW 1/4 OF SECTION 10, TOWNSHIP 20 SOUTH, RANGE 65 WEST, OF THE 6TH P.M. IN THE COUNTY OF PUEBLO, STATE OF COLORADO.



1. AREA TO BE ANNEXED

A portion of three parcels of land located in sections 9 and 10, Township 20 South, Range 65 West, of the 6th Principal Meridian in the County of Pueblo and State of Colorado, being more particularly described as follows:

Commencing at the SE corner of the W 1/2 of the E 1/2 of the SW 1/4 of said Section 10; thence N01 degrees 40 minutes 27 seconds E, a distance of 2661.29 feet to the Northeast corner of the W 1/2 of E 1/2 of the SW 1/4 of section 10; thence S 88 degrees 57 minutes 11 seconds W, along the north line, a distance of 665.40 feet, to the Northwest corner of the W 1/2 of the E 1/2 of the SW 1/4 of Section 10 and point of beginning; thence S 89 degrees 54 minutes 17 seconds W, along the north line, a distance of 1331.50 feet, to the Northeast corner of the E 1/2 of section 9; thence S 89 degrees 58 minutes 22 seconds W, along the north line, a distance of 328.94 feet to the NW corner of the E 1/2 of the E 1/2 of the SW 1/4 of Section 9; thence S 0 degrees 40 minutes 42 seconds W, along the west line, a distance of 1258.29 feet to a point on a non tangent curve, having a radius of 1019.00 feet, a radial line bears N 39 degrees 23 minutes 00 seconds E from said point; thence northwesterly along the arc of last said curve through a central angle of 14 degrees 18 minutes 07 seconds, a distance of 254.36 feet; thence N 36 degrees 19 minutes 40 seconds W, tangent to last said curve, a distance of 1258.29 feet, to a point on the north line of the SE 1/4 of said Section 9; thence N 89 degrees 58 minutes 03 seconds W, along said north line, a distance of 991.15 feet to a point on the center line of the Kansas and Colorado Railroad abandoned right of way; thence N 42 degrees 46 minutes 50 seconds, along said center line, distance of 187.77 feet to the beginning of a curve to the right having a radius of 5864.93 feet; thence northwesterly, continuing along said center line, along the arc of said curve, through a central angle of 11 degrees 29 minutes 01 seconds, a distance of 574.22 feet; thence N 31 degrees 39 minutes 05 seconds W continuing along said center line a distance of 26.62 feet; thence S 02 degrees 50 minutes 55 seconds W, leaving said center line, a distance of 379.17 feet; thence S 11 degrees 18 minutes 19 seconds E, a distance of 290.71 feet; thence S 25 degrees 46 minutes 13 seconds E, a distance of 494.36 feet; thence S 74 degrees 06 minutes 44 seconds E, a distance of 738.34 feet; thence S 45 degrees 34 minutes 43 seconds E, a distance of 1107.74 feet to the present city limits line; thence N 90 degrees 0 minutes 0 seconds E continuing along said city limits line, a distance of 2318.65 feet; thence N 0 degrees 0 minutes 0 seconds W, continuing along said city limits line, a distance of 1492.67 feet to the point of beginning.

Said parcels contain 98.98 acres, more or less

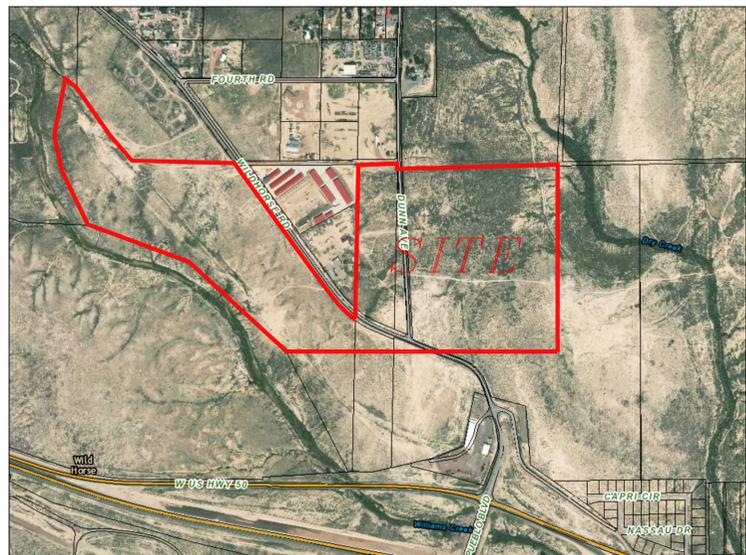
2. PROPOSED NEW CITY LIMITS LINE:

Commencing at the SE corner of the W 1/2 of the E 1/2 of the SW 1/4 of said Section 10; thence N01 degrees 40 minutes 27 seconds E, a distance of 2661.29 feet to the Northeast corner of the W 1/2 of E 1/2 of the SW 1/4 of section 10; thence S 88 degrees 57 minutes 11 seconds W, along the north line, a distance of 665.40 feet, to the Northwest corner of the W 1/2 of the E 1/2 of the SW 1/4 of Section 10 and point of beginning; thence S 89 degrees 54 minutes 17 seconds W, along the north line, a distance of 1331.50 feet, to the Northeast corner of the E 1/2 of section 9; thence S 89 degrees 58 minutes 22 seconds W, along the north line, a distance of 328.94 feet to the NW corner of the E 1/2 of the E 1/2 of the SW 1/4 of Section 9; thence S 0 degrees 40 minutes 42 seconds W, along the west line, a distance of 1258.29 feet to a point on a non tangent curve, having a radius of 1019.00 feet, a radial line bears N 39 degrees 23 minutes 00 seconds E from said point; thence northwesterly along the arc of last said curve through a central angle of 14 degrees 18 minutes 07 seconds, a distance of 254.36 feet; thence N 36 degrees 19 minutes 40 seconds W, tangent to last said curve, a distance of 1258.29 feet, to a point on the north line of the SE 1/4 of said Section 9; thence N 89 degrees 58 minutes 03 seconds W, along said north line, a distance of 991.15 feet to a point on the center line of the Kansas and Colorado Railroad abandoned right of way; thence N 42 degrees 46 minutes 50 seconds, along said center line, distance of 187.77 feet to the beginning of a curve to the right having a radius of 5864.93 feet; thence northwesterly, continuing along said center line, along the arc of said curve, through a central angle of 11 degrees 29 minutes 01 seconds, a distance of 574.22 feet; thence N 31 degrees 39 minutes 05 seconds W continuing along said center line a distance of 26.62 feet; thence S 02 degrees 50 minutes 55 seconds W, leaving said center line, a distance of 379.17 feet; thence S 11 degrees 18 minutes 19 seconds E, a distance of 290.71 feet; thence S 25 degrees 46 minutes 13 seconds E, a distance of 494.36 feet; thence S 74 degrees 06 minutes 44 seconds E, a distance of 738.34 feet; thence S 45 degrees 34 minutes 43 seconds E, a distance of 1107.74 feet to the present city limits line;

3. CERTIFICATION OF PERIMETER:

At least one-sixth of the boundary of the land described in paragraphs one (1) above, is now existing City Limits Line.

NORTHSTAR ENGINEERING AND SURVEYING, INC.
111 E. 5th Street
Pueblo, Colorado 81003



VICINITY MAP
NOT TO SCALE

LEGEND

- FOUND 3 1/4" DIAMETER ALUMINUM CAP, PLS 33200
- FOUND 2" DIAMETER ALUMINUM CAP, PLS 16128
- FOUND 2" DIAMETER ALUMINUM CAP, PLS 33200
- ◆ FOUND YELLOW PLASTIC CAP, PLS 16128
- FOUND YELLOW PLASTIC CAP, PLS 10093
- △ FOUND YELLOW PLASTIC CAP, PLS ILLEGIBLE
- FOUND 1 1/2" ALUMINUM CAP, PLS 16128
- FOUND BENT NO. 6 REBAR NO CAP
- FOUND 3 1/4" DIAMETER BRASS CAP IN CONCR
- FOUND 3 1/4" DIAMETER ALUMINUM CAP, PLS 3
- (D) DEED
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- EXISTING CITY LIMITS LINE
- PROPOSED CITY LIMITS LINE

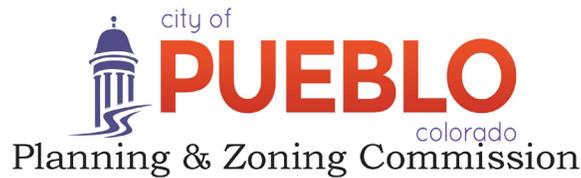
Michael Leland Cuppy
Colorado Registered Professional
Land Surveyor No. 38485
For and on Behalf of NorthStar Engineering & Surveying Inc.

| | | |
|-----------------------------------------------------|-------------------------|------------------------------------|
| NORTHSTAR ENGINEERING AND SURVEYING, INC. | | |
| 111 E. 5TH ST. PUEBLO, CO 81003 | | (719)544-6823 (719)544-6825 FAX |
| WILDHORSE ANNEXATION 2 | | |
| TITLE: | FILE: 1804400_ANNEK.DWG | |
| SCALE: 1" = 300' | DRAWN BY: DMB | |
| DATE: 05-25-21 | CHECKED BY: MLC | JOB NO. 1804400 |

Mike Castellucci
Chair

Patrick Avalos
Vice Chair

Bob Schilling
City Council Representative



Christopher Pasternak

Alexandra Aznar

Elizabeth Bailey

Cheryl Spinuzzi

MINUTES OF REGULAR MEETING

City of Pueblo, Colorado

Wednesday, December 8, 2021 – 3:30 p.m.

City Council Chambers, 1 City Hall Place

Join Zoom Meeting online:

<https://pueblo.zoom.us/j/92717867722?pwd=WUdnaHVGBnlCdHRrUHNFZnpPWG1Ydz09>

Join Zoom Meeting by phone:

+1 669 900 6833 US (San Jose)

+1 346 248 7799 US (Houston)

Online and phone Meeting ID and Password:

Meeting ID: 927 1786 7722

Passcode: 195462

MEETING CALLED TO ORDER

The meeting was called to order at 3:30 p.m. with Commissioner Castellucci presiding.

The meeting was held at City Council Chambers, 1 City Hall Place, commissioners, applicants, and the public participated in person and via Zoom.

Commissioners Present: Mike Castellucci, Patrick Avalos, Cheryl Spinuzzi, Alexandra Aznar, Christopher Pasternak, Bob Schilling, and Lisa Bailey.

Commissioners Absent: none

Staff Members Present: Dan Kogovsek, City Attorney; Scott Hobson, Acting Director for Department of Planning and Community Development; Beritt Odom, Principal Planner; Wade Broadhead, Planner; Bart Mikitowicz, Planner; Danielle Baxter, Planner; and Joe Martellaro, Associate Engineer II.

APPROVAL OF AGENDA

A Motion was made by Bailey to amend the agenda to move SNC-21-04 to the last item on the agenda, Seconded by Schilling.

Motion passed 7-0.

PUBLIC MEETING AND ACTION

1. **A-20-04 Wildhorse Annexation-** Two phase annexation totaling 179.38 acres, generally located north and west of the U.S. West Highway 50 and North Pueblo Blvd. intersection.

Staff report by Scott Hobson, Acting Director for Department of Planning and Community Development.

STAFF REVIEW AND FINDINGS:

Two annexation petitions were filed on July 1, 2020, by Wildhorse Land and Holdings, a Limited Liability Company, for a series annexation of 80.40 acres and 98.80 acres located north of the U.S. Highway 50 West/Pueblo Blvd Interchange. The purpose of the annexation is to provide a location for a mixture of retail uses, high density residential, and business park uses. The applicant is proposing to zone the property as A-1, Agricultural One, as an interim zoning classification until the time of development. An overall development plan application has also been submitted and is scheduled to be reviewed by the Planning Commission on January 13, 2021. The A-1, interim zoning following annexation, is allowed by section 17-1-3, (e), of the Pueblo Municipal Code. According to the code, the annexation agreement may allow an A-1, Zone District for a specified period of time and no building permits may be issued while zoned A-1. The proposed annexation agreement allows for the A-1 zone district to continue for not more than 10 years and prohibits building permits from being issued until the property is rezoned to a zone district that is consistent with the Pueblo Comprehensive Plan.

Approximately 55 acres within the west and northwest areas of the proposed annexation are located within the boundaries of the Pueblo West Metropolitan District. If the annexation of the property is approved, the City shall, upon acceptance of public infrastructure improvements in compliance with all city construction standards and requirements, provide for the sanitary sewer, stormwater, parks and recreation, fire, and police services to the areas within city limits that are also within the boundaries of the Pueblo West Metropolitan District boundaries.

Current Land Use According to Comprehensive Plan: The amended "2001 Pueblo Regional Development Plan" designates the proposed annexation property as a "Special Development Area."

The Pueblo Comprehensive Plan designation of Special Development Area identifies areas where there appear to be multiple possibilities for development. These areas are undeveloped lands with significant development and/or open space potential in strategic locations that suggest the need for careful, location-specific plans for infrastructure and private development.

The Wildhorse Annexation Overall Development Plan will serve as the master plan for the area.

Field Observations of Site: The area proposed to be annexed is vacant undeveloped land located north of the U.S. Highway 50 West/SH45 Pueblo Boulevard Interchange and extending northwest along the south side of Wildhorse Road. The site consists of native prairie grasses with a generally flat topography, except for gradual hills that extend northeasterly to Wildhorse Creek and border the southwesterly boundary of the property adjacent to Williams Creek. An 825-foot segment of Wildhorse Creek is located within the property, and Williams Creek is located off the boundary of the property. City wastewater service is currently provided to the CDOT Maintenance Facility located at the intersection of Wildhorse Road at the terminus of SH45/Pueblo Boulevard. Pueblo Water potable water service is located within North Pueblo

Boulevard extended and along Wildhorse Road through an extraterritorial water service agreement. Limited stormwater improvements are located along North Pueblo Boulevard extended.

Neighborhood Compatibility: The proposed annexation site is located north of the U.S. Highway 50 West/SH45 Pueblo Boulevard Interchange and extending northwest along the south side of Wildhorse Road. The CDOT Maintenance Facility borders the property at the intersection of Wildhorse Road and the terminus of SH45/Pueblo Boulevard. A self-storage facility is located north of the property along the north side of Wildhorse Road. The Holiday Hills Subdivision, in unincorporated Pueblo County, is located to the southeast of the property. This subdivision contains one residential developed property approximately 550 feet for the proposed annexation property. The proposed annexation and mixture of retail uses, high density residential, and business park uses introduces new uses to a generally undeveloped area that will be compatible with the surrounding business park uses. The platted residential lots within the Holiday Hills Subdivision in unincorporated Pueblo County will likely not fully develop without annexing into the City of Pueblo for access to water and wastewater services to the remaining residential lots.

HEARING: Mike Cuppy, NorthStar Engineering., 111 E. 5th Street, represented the application.

No one spoke in support or opposition for the application.

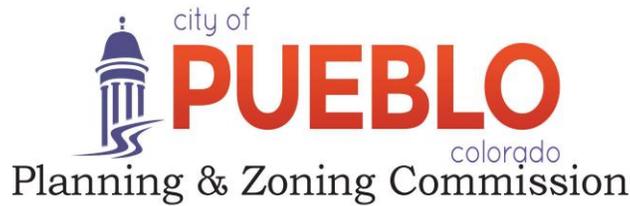
MOTION: Motion to recommend approval of the Wildhorse Annexation, series of two annexations was made by Bailey, second by Avalos.

MOTION PASSED 7-0

Mike Castellucci
Chair

Patrick Avalos
Vice Chair

Bob Schilling
City Council Representative



Christopher Pasternak

Alexandra Aznar

Elizabeth Bailey

Cheryl Spinuzzi

A-20-04

TO: City of Pueblo, Planning and Zoning Commission

FROM: Scott Hobson, Acting Director of Planning and Community Development

DATE: December 8, 2021

SUBJECT: Wildhorse Annexation, Series of two annexations

APPLICANT: Wildhorse Land and Holdings, a Limited Liability Company
Michael Cuppy, NorthStar Engineering and Surveying, Inc.

PROPERTY OWNER: Wildhorse Land and Holdings, a Limited Liability Company

LOCATION: North of the U.S. Highway 50 West/Pueblo Blvd Interchange:
Series 1 – 80.40 acres
Series 2 - 98.8 acres generally located north of the U.S. Highway 50
West/Pueblo Blvd Interchange; a parcel of land in Sections 9 & 10,
Township 20 South, Range 65 West, of the 6th P.M.

EXISTING ZONE: A-3, A-1 and S-1 Zone Districts (Pueblo County)

REQUEST:

The Petitioner/Applicant is requesting to annex 179.2-acres into the City through a series of two annexations with Phase 1 totaling 80.40 acres and Phase 2 totaling 98.80 acres. The property is proposed to be annexed and developed with a mixture of retail uses, high density residential, and business park uses.

ANALYSIS:

The proposed Wildhorse Annexations conform with Sections 31-12-104(1)(a) and 31-12-107(1) of the Colorado Revised Statutes and the Pueblo Municipal Codes.

BACKGROUND:

Two annexation petitions were filed on July 1, 2020 by Wildhorse Land and Holdings, a Limited Liability Company, for a series annexation of 80.40 acres and 98.80 acres located north of the U.S. Highway 50 West/Pueblo Blvd Interchange. The purpose of the annexation is to provide a location for a mixture of retail uses, high density residential, and business park uses. The applicant is proposing to zone the property as A-1, Agricultural One, as an interim zoning classification until the time of development. An overall development plan application has also been submitted and is scheduled to be reviewed by the Planning Commission on January 13, 2021. The A-1, interim zoning following annexation, is allowed by section 17-1-3, (e), of the Pueblo Municipal Code. According to the code, the annexation agreement may allow an A-1, Zone District for a specified period of time and no building permits may be issued while zoned A-1. The proposed annexation agreement allows for the A-1 zone district to continue for not more

than 10 years and prohibits building permits from being issued until the property is rezoned to a zone district that is consistent with the Pueblo Comprehensive Plan.

Approximately 55 acres within the west and northwest areas of the proposed annexation are located within the boundaries of the Pueblo West Metropolitan District. If the annexation of the property is approved, the City shall, upon acceptance of public infrastructure improvements in compliance with all city construction standards and requirements, provide for the sanitary sewer, stormwater, parks and recreation, fire and police services to the areas within city limits that are also within the boundaries of the Pueblo West Metropolitan District boundaries.

CONCURRENT REQUESTS:

ODP-20-01 Wildhorse Annexation Overall Development Plan

ZONING, LAND USE, AND NEIGHBORHOOD COMPATIBILITY

Existing Zoning and Land Use:

| | |
|-------------------|-------------------------------|
| Zone District | A-1, A-3 & S-1, Pueblo County |
| Existing Land Use | Vacant/Undeveloped |

Surrounding Land Uses & Zoning

| | |
|-------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| North | <ul style="list-style-type: none"> A-1, Agricultural One, A-2, Agricultural Two, A-3 Agricultural Three Districts, all in unincorporated Pueblo County, undeveloped except for a self-storage facility within the A-2 Agricultural District |
| East | <ul style="list-style-type: none"> A-1, Agricultural One, Pueblo County, undeveloped |
| South | <ul style="list-style-type: none"> A-3 Agricultural Three District, S-1 Public Use District, A-1, Agricultural One in Pueblo County, all within unincorporated Pueblo County – U.S. Highway 50/SH 45 Pueblo Blvd interchange within the S-1 and A-1 County Zone Districts, one residence within the Holiday Hills Subdivision in unincorporated Pueblo County S-1, Governmental Use District within City, CDOT Maintenance Facility |
| West | <ul style="list-style-type: none"> A-3 Agricultural Three District, Pueblo County, undeveloped |

B. Current Land Use According to Comprehensive Plan:

The amended **”2001 Pueblo Regional Development Plan”** designates the proposed annexation property as a “Special Development Area.”

The Pueblo Comprehensive Plan designation of *Special Development Area* identifies areas where there appear to be multiple possibilities for development. These areas are undeveloped lands with significant development and/or open space potential in strategic locations that suggest the need for careful, location-specific plans for infrastructure and private development.

The Wildhorse Annexation Overall Development Plan will serve as the master plan for the area.

C. Field Observations of Site

The area proposed to be annexed is vacant undeveloped land located north of the U.S. Highway 50 West/SH45 Pueblo Boulevard Interchange and extending northwest along the south side of Wildhorse Road. The site consists of native prairie grasses with a generally flat topography, except for gradual hills that extend northeasterly to Wildhorse Creek and border the southwesterly boundary of the property adjacent to Williams Creek. An 825-foot segment of Wildhorse Creek is located within the property, and Williams Creek is located off the boundary of the property. City wastewater service is currently provided to the CDOT Maintenance Facility located at the intersection of Wildhorse Road at the terminus of SH45/Pueblo Boulevard. Pueblo Water potable water service is located within North Pueblo Boulevard extended and along Wildhorse Road through an extraterritorial water service agreement. Limited stormwater improvements are located along North Pueblo Boulevard extended.

D. Neighborhood Compatibility

The proposed annexation site is located north of the U.S. Highway 50 West/SH45 Pueblo Boulevard Interchange and extending northwest along the south side of Wildhorse Road. The CDOT Maintenance Facility borders the property at the intersection of Wildhorse Road and the terminus of SH45/Pueblo Boulevard. A self-storage facility is located north of the property along the north side of Wildhorse Road. The Holiday Hills Subdivision, in unincorporated Pueblo County, is located to the southeast of the property. This subdivision contains one residential developed property approximately 550 feet for the proposed annexation property. The proposed annexation and mixture of retail uses, high density residential, and business park uses introduces new uses to a generally undeveloped area that will be compatible with the surrounding business park uses. The platted residential lots within the Holiday Hills Subdivision in unincorporated Pueblo County will likely not fully develop without annexing into the City of Pueblo for access to water and wastewater services to the remaining residential lots.

DEPARTMENT COMMENTS

PUBLIC WORKS AND ENGINEERING COMMENTS

- None

TRANSPORTATION COMMENTS:

- None

PUEBLO COUNTY COMMENTS:

- None

TRANSPORTATION COMMENTS

- None

PARKS AND RECREATION COMMENTS

- I think it’s important to have trails extending up north through this area, whether it along wastewater lines or arroyos.

REGIONAL BUILDING COMMENTS

- None

BOARD OF WATER WORKS COMMENTS

- Pueblo Water can serve the proposed annexation as presented, with sufficient quantity both for domestic and fire flow. Pueblo Water will work closely with Developers' Engineer to masterplan (water) for the annexation, including sufficient infrastructure to serve the distinct pressure zones present at this annexation. We have no further comments at this time.

COLORADO DEPARTMENT OF TRANSPORTATION COMMENTS

- See attached letter from Arthur Gonzales, CDOT R2 Access Manager, dated 1/20/2021

COMCAST COMMENTS

- None

EXCEL ENERGY COMMENTS

- Xcel does not have gas north of Hwy 50 at Pueblo Blvd

QWEST COMMENTS

- None

PUEBLO CITY SCHOOL DISTRICT 60

- None

CITY OF PUEBLO STORMWATER

- See attached memo from John Sakariason, Drainage Engineer, dated 12/18/2020

CITY OF PUEBLO WASTEWATER

- See attached memo from Sonia Mondragon, Wastewater Engineer dated 12/11/2020

SOUTHEASTERN COLORADO WATER CONSERVANCY DISTRICT

- See attached letter from Garrett Markus, P.E. dated 11/17/2020

SPECIAL INFORMATION

STATUTORY REQUIREMENTS WHICH EXIST FOR ANNEXING PURPOSES (Colorado Revised Statutes)

1. **Section 31-12-104** –That not less than one-sixth (1/6) of the perimeter of the area proposed to be annexed is contiguous to the existing City limits (contiguity may be established by the annexation of one or more parcels in a series, which may be completed simultaneously and considered together for the purposes of the public hearing). The municipality boundaries shall not be extended more than three miles in any direction from any point of such municipal boundary in any one year.

The proposed annexation is separated into two phases with the first phase totaling 80.40 acres and the second phase totaling 98.80 acres. The required one-sixth (1/6) contiguity of the area proposed to be annexed for each phase is established on the Annexation Plats and meets the requirements for annexation. The contiguity for the second phase is established through the approval of the first phase annexation. All of the property is within three miles of existing city limits.

2. Section 31-12-105[1]-[e] – The municipality shall have a three-mile annexation plan which is updated on an annual basis. The proposed development should be compatible with this plan.

The City of Pueblo adopted the updated “City of Pueblo 3-Mile Annexation Master Plan for the Year 2021” on March 8, 2021.

3. Section 31-12-108.5- An Annexation Impact Report is required for all annexations over ten acres. A report was submitted to the Planning and Community Development Department. The content of the report fulfills the statutory requirements; however, a map containing the items listed below must be submitted to the Department prior to City Council Review:
 - a. The present and proposed boundaries of the municipality in the vicinity of the proposed annexation;
 - b. The present streets, major trunk mains, sewer interceptors and outfalls, other utility lines and ditches, and the proposed extension of such streets and utility lines in the vicinity of the proposed annexation;
 - c. The existing and proposed land use patterns in the areas to be annexed.

CITY OF PUEBLO ANNEXATION REQUIREMENTS:

- a) The proposed annexation must be a logical extension of the City’s boundary and municipal services.

The proposed annexation requires the extension of the City wastewater system, Board of Water Works domestic water, and the provision of police and fire services. Based on the comments received from City staff, the proposed annexation appears to be a logical extension of the City’s boundary and municipal services.

- b) The property shall be zoned and subdivided in conformity with the Code of Ordinances for the City of Pueblo.

A requirement of the annexation agreement will be for the petitioner to apply to zone the property within the City of Pueblo within 90 days following the approval of an ordinance annexing the property into the City. The applicant intends to zone the property as A-1, Agricultural One as an interim zoning classification. Prior to development, the applicant will rezone the property in compliance with an approved Overall Development Plan which will serve as the master plan in accordance with the Title XVII of the Pueblo Municipal Code.

- c) The petitioner shall dedicate land and rights of way for public uses and facilities required by the City.

The dedication of land and rights of way for roads and utility lines will be completed at the time of subdivision.

- d) The petitioner shall comply with all applicable requirements of the City of Pueblo’s Public Works Department and other City utility companies for the installation of mains, lines, stations, or other utility facilities.

The petitioner will be required to have an Overall Development Plan approved by the City Planning & Zoning Commission that addresses the master plan requirements within the Annexation Agreement.. In addition, the petitioner must comply with the City's Code of Ordinances for any subdivision of the property.

RECOMMENDED MOTION: Staff recommends Planning and Zoning Commission recommend approval of the annexation to City Council.

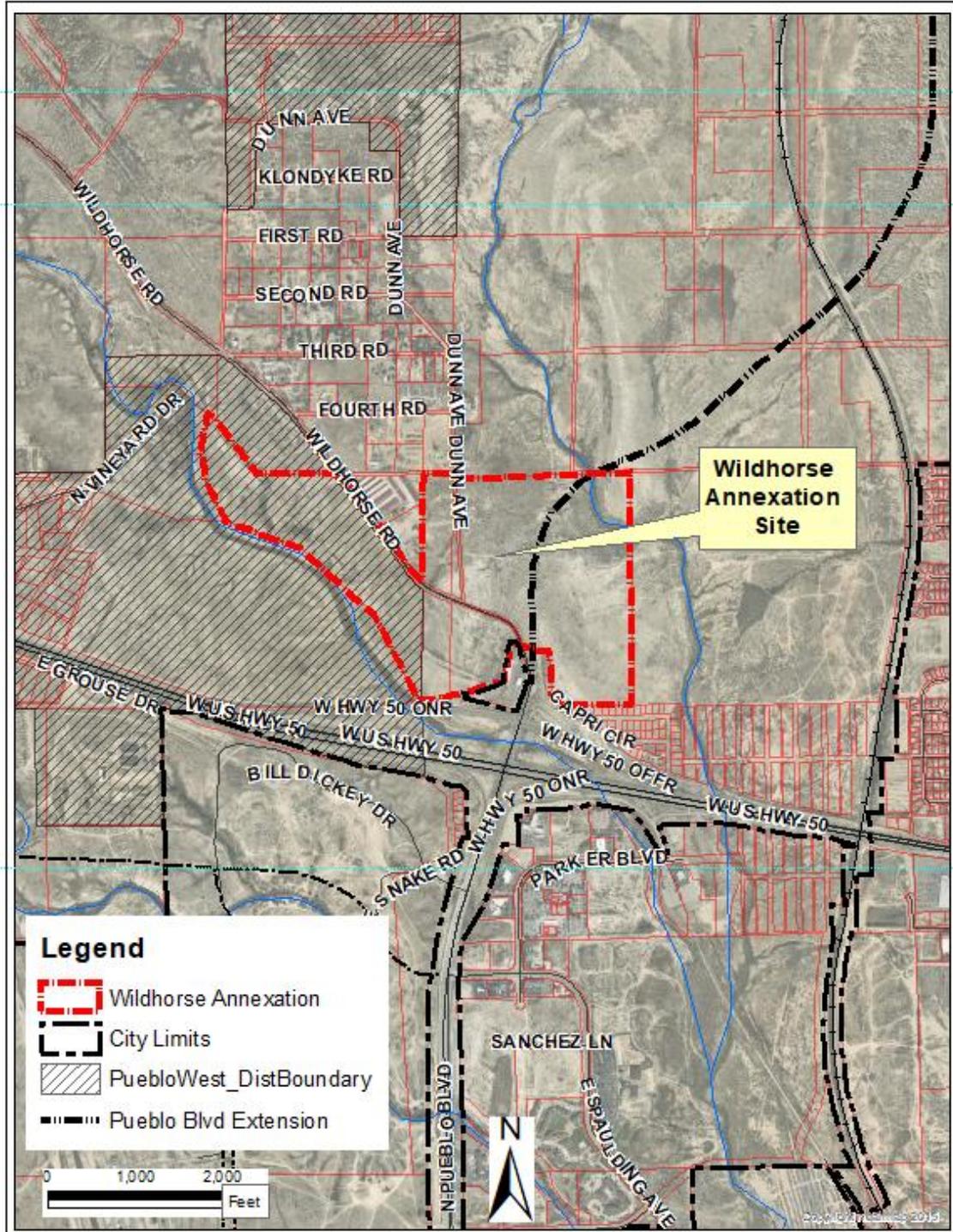
CONCLUSION:

The City staff has reviewed the annexation request and recommends approval of the annexation with the condition that the applicant signs an Annexation Agreement, which includes the provisions of Exhibit C of the Annexation Agreement.

ATTACHMENTS:

- A. Aerial Photograph
- B. Zoning Map
- C. Comprehensive Future Land Use Map
- D. Site Photographs
- E. Annexation Plats
- F. Impact Report
- G. Letter from Arthur Gonzales, CDOT R2 Access Manager, dated 1/20/2021
- H. Stormwater Memo from John Sakariason, Drainage Engineer, dated 12/18/2020
- I. Wastewater Memo from Sonia Mondragon, Wastewater Engineer dated 12/11/2020
- J. Southeastern Colorado Water Conservancy District, Letter from Garrett Markus, P.E. dated 11/17/2020

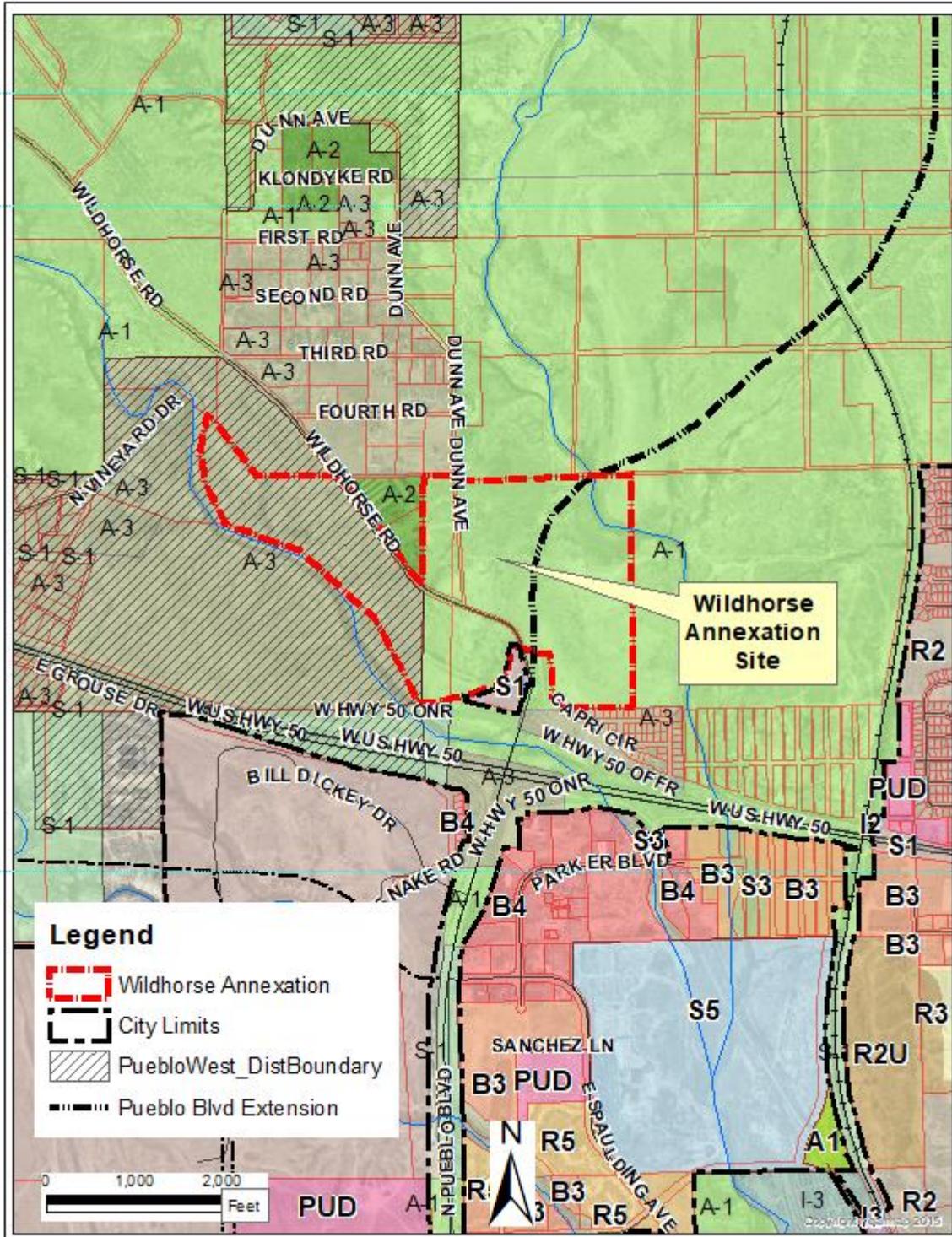
CITY OF PUEBLO PLANNING AND COMMUNITY DEVELOPMENT



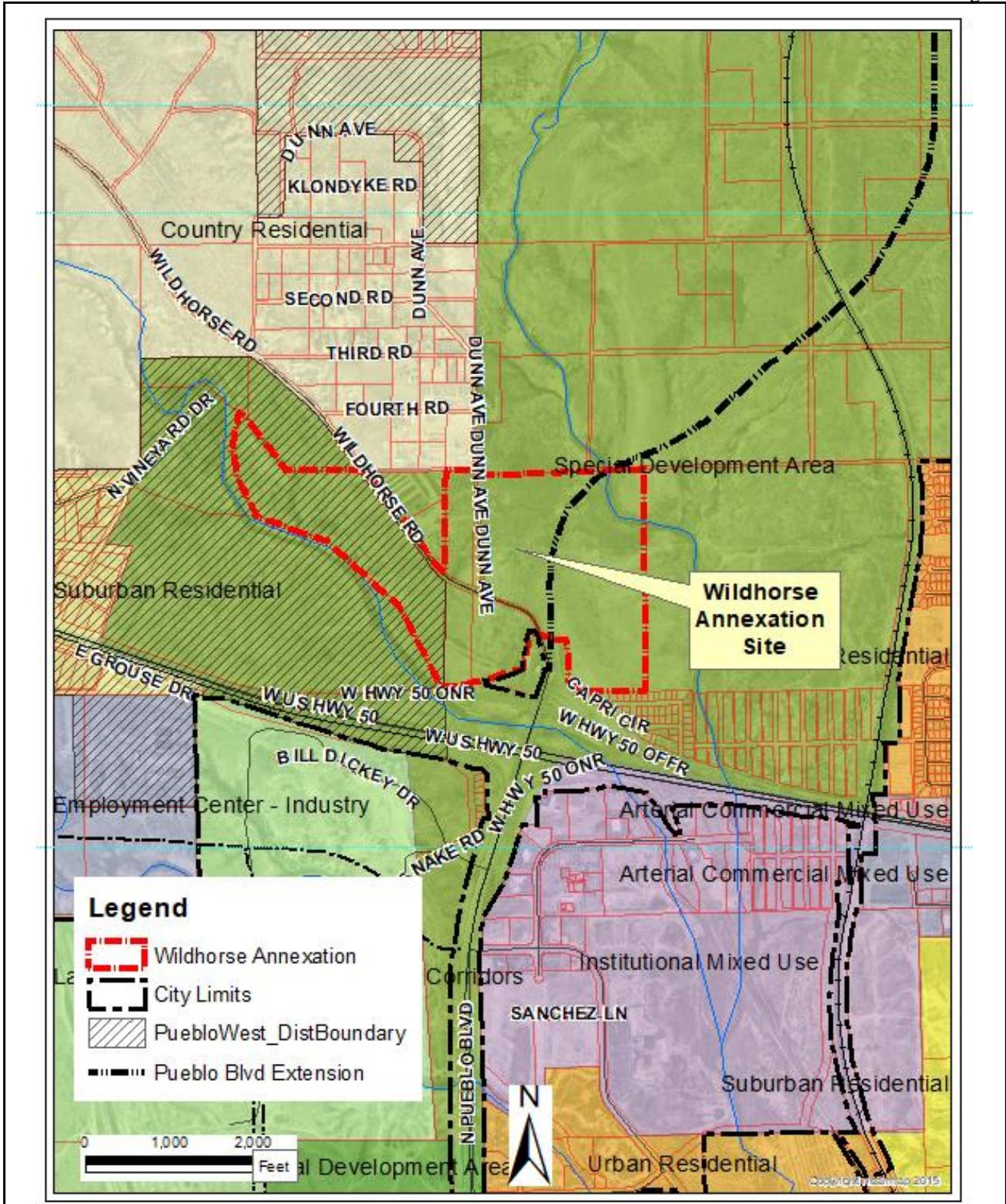
Attachment A

Aerial Photograph of Annexation Site

ATTACHMENT B - CITY OF PUEBLO PLANNING AND COMMUNITY DEVELOPMENT



Zoning Map Pueblo Springs Apartments Annexation



ATTACHMENT C

Comprehensive Plan Pueblo Springs Apartments Annexation Site



ATTACHMENT D

LOCATION: Wildhorse Annexation Site - Southeast from Wildhorse Road



ATTACHMENT D

LOCATION: Wildhorse Annexation Site - East from Wildhorse Road



ATTACHMENT D

LOCATION: Wildhorse Annexation Site - Northeast from Wildhorse Road



ATTACHMENT D

LOCATION: Wildhorse Annexation Site - Southwest from Wildhorse Road

ATTACHMENT F

ANNEXATION TO THE CITY OF PUEBLO

IMPACT REPORT
FOR
Wildhorse Annexation 1

The following items are the requirements as set forth for an Annexation Impact Report pursuant to the Colorado Revised Statutes Section 31-12-108.5:

- (a) A map or maps of the municipality and adjacent territory to show the following information:
- (I) The present and proposed boundaries of the municipality in the vicinity of the proposed annexation;

Refer to the Wildhorse Annexation, attached as Exhibit 1.
 - (II) The present streets, major trunk water mains, sewer interceptors and outfalls, other utility lines and ditches, and the proposed extension of such streets and utility lines in the vicinity of the proposed annexation;

Wildhorse Road and Dunn Avenue are currently located on the site. Municipal Water is currently in Wildhorse Road right-of-way (16" PVC) that runs from the south end of the site to the northwest of the annexation area and is adequately sized for service to the annexation area. Pueblo Boulevard and other utilities that are not currently extended north to the proposed annexed area will be required to be extended north upon subdivision of said area. There is currently no sanitary or storm sewer on the site.
 - (III) The existing and proposed land use pattern in the areas to be annexed;

Existing land use pattern in the areas adjacent to the annexed area are primarily agricultural. The proposed land use for the annexed area will be primarily commercial with limited residential.
- (b) A copy of any draft or final pre-annexation agreement, if available;

Not applicable

- (c) A statement setting forth the plans of the municipality for extending to, or otherwise providing for within the area to be annexed, municipal services performed by or on behalf of the municipality at the time of annexation;

The City of Pueblo will provide police and fire protection to this annexed area. This site's main entrance will be the proposed extension of Pueblo Boulevard. This road will be utilized by the workers that will enter the site on a sporadic schedule during the construction period. Employees will enter the site on a daily basis once operational and, maintenance/delivery trucks may also need access when operational.

- (d) A statement setting forth the method under which the municipality plans to finance the extension of the municipal services into the area to be annexed;

Fire and police services will be funded through the City's General Fund.

- (e) A statement identifying existing districts within the area to be annexed;

The property is within the boundaries of the Pueblo Regional Library District, School District No. 60, and the Lower Arkansas Valley Water Conservancy District.

- (f) A statement on the effect of annexation upon local public-school district systems, including the estimated number of students generated and the capital construction required to educate such students.

This annexation will consist of commercial use. Employees at the commercial sites will likely live in a variety of areas both within and outside of School District No. 60 and School District 70 boundaries. The annexation will have a positive impact on the property tax base for School Districts, with a minimal impact on the need to add classroom space or associated school facilities.

ATTACHMENT F
ANNEXATION TO THE CITY OF PUEBLO

IMPACT REPORT
FOR
Wildhorse Annexation 2

The following items are the requirements as set forth for an Annexation Impact Report pursuant to the Colorado Revised Statutes Section 31-12-108.5:

- (a) A map or maps of the municipality and adjacent territory to show the following information:
- (I) The present and proposed boundaries of the municipality in the vicinity of the proposed annexation;

Refer to the Wildhorse Annexation 2, attached as Exhibit 1.
 - (II) The present streets, major trunk water mains, sewer interceptors and outfalls, other utility lines and ditches, and the proposed extension of such streets and utility lines in the vicinity of the proposed annexation;

Wildhorse Road and Dunn Avenue are currently located on the site. Municipal Water is currently in Wildhorse Road right-of-way (16" PVC) that runs from the south end of the site to the northwest of the annexation area and is adequately sized for service to the annexation area. Pueblo Boulevard and other utilities that are not currently extended north to the proposed annexed area will be required to be extended north upon subdivision of said area. There is currently no sanitary or storm sewer on the site.
 - (III) The existing and proposed land use pattern in the areas to be annexed;

Existing land use pattern in the areas adjacent to the annexed area are primarily agricultural. The proposed land use for the annexed area will be primarily commercial with limited residential.
- (b) A copy of any draft or final pre-annexation agreement, if available;

Not applicable

- (c) A statement setting forth the plans of the municipality for extending to, or otherwise providing for within the area to be annexed, municipal services performed by or on behalf of the municipality at the time of annexation;

The City of Pueblo will provide police and fire protection to this annexed area. This site's main entrance will be the proposed extension of Pueblo Boulevard. This road will be utilized by the workers that will enter the site on a sporadic schedule during the construction period. Employees will enter the site on a daily basis once operational and, maintenance/delivery trucks may also need access when operational.

- (d) A statement setting forth the method under which the municipality plans to finance the extension of the municipal services into the area to be annexed;

Fire and police services will be funded through the City's General Fund.

- (e) A statement identifying existing districts within the area to be annexed;

The property is within the boundaries of the Pueblo Regional Library District, School District No. 60, and the Lower Arkansas Valley Water Conservancy District.

- (f) A statement on the effect of annexation upon local public-school district systems, including the estimated number of students generated and the capital construction required to educate such students.

This annexation will consist of commercial and minor residential use. Direct impact to the school system will occur from this residential development. It is estimated the possible number of students will be 96. School District No. 60 has a goal of providing a minimum of 115 ft² of space per student and 8-10 acres of usable acres for elementary schools designed for 400 students. The annexation will have a minimal impact on the need to add classroom space or associated school. Employees at the commercial sites will likely live in a variety of areas both within and outside of School District No. 60 and School District 70 boundaries. The annexation will have a positive impact on the property tax base for School Districts, with a minimal impact on the need to add classroom space or associated school facilities.

ATTACHMENT G



COLORADO
Department of Transportation

Region 2 Permits
5615 Wills Blvd.
Pueblo, CO 81008-2349

January 20, 2021

Karen Elgin, Land Use Technician
City of Pueblo - Planning dept.
211 E. d Street
Pueblo, CO 81003

RE: WL Annexation and Wildhorse Annexation

Dear Karen,

I am in receipt of referral requests for comments for WL Annexation and Wildhorse Annexation.

The subject property of WL Annexation is located north of Highway 50 West, south of Platteville Boulevard, and generally east of Wildhorse Creek. The subject property located in portions of Sec 2,3,10, and 11, T 20S, R 64W, of the 6th PM in Pueblo County, Colorado. It is currently zoned A-3 on 693.1 acres.

The subject property of Wildhorse Annexation is located north of the Highway 50 West/Pueblo Boulevard (SH45) interchange and northwest of Wildhorse Road. The subject property located in portions of Sec 9 and 10, T 20S, R 65W, of the 6th PM in Pueblo County, Colorado. It is currently zoned A-3 on 179.38 acres. After review of all documentation we have the following comments:

Traffic:

The traffic reports for WL Annexation and Wildhorse Annexation dated July 6, 2020 have been reviewed by a CDOT Traffic Engineer. Their comments follow:

- The concept plan is for the extension of Pueblo Blvd. to be a State Highway; this was studied by CDOT in the late 90's and again with the US50 PEL. As such this roadway corridor should be classified as an Expressway with a 300-foot ROW and meet the intersection spacing requirements of the CDOT access code. Anything less than an Expressway designation will not be entertained by CDOT if the intent is to classify this roadway as a State Highway.
- The site, at full build out, generates 51,345 daily trips. The existing intersections of Wildhorse/45 and 50/45 are not designed to accommodate such traffic. The US50 PEL suggests the construction of a Diverging Diamond Interchange as traffic volumes increase. At the rezoning of the property, CDOT will require a Master Traffic Impact Study, per CDOT guidelines and with specific attention being paid to the timing of funding of improvements.

Hydraulics:



The Drainage Master Plans for WL Annexation and Wildhorse Annexation dated July 2020 have been reviewed by a CDOT Hydraulics Engineer. Their comments follow:

- The master plan proposes development to the north of the intersection of Wildhorse and US 50. There are 10 parcels of development shown in the Master Plan with four points of discharge after onsite detention. Three of the four points of discharge are to the west into Williams Creek. The fourth point of discharge is from the southeasterly most parcel and it is to the south into CDOT right of way. This southerly discharge direction changes the historic path of existing surface drainage which is to the east and to Wildhorse Creek. Existing drainage from the project does not historically enter the right of way of US 50. The historic path runs to the east into Wildhorse Creek, parallel and north of the right of way. The proposed drainage patterns should remain unchanged from the existing patterns of surface runoff. CDOT has developed a LIDAR based model of the surface in WMS software to determine the flow paths of the topography.
- CDOT's Maintenance Yard is protected from the developed discharge shown on the proposed lot plan in the Drainage Master Plan.
- The proposed extension of SH 45 will require that any discharge into the proposed highway be made in storm sewer to an inlet or manhole and not as a surface discharge into the right of way.
- The CDOT structures downstream and subject to impact by the Master Drainage Plan are:
 1. K-18-O
 2. 045A008650BL
 3. K-18-CZ
 4. K-18-AC
 5. K-18-CW
- The detention system proposed by the Master Drainage Plan shall detain developed runoff rates to their existing rates prior to discharge upstream of these structures. CDOT drainage design manual requirements for Hydrology may be found in chapter 7 of the Drainage Design Manual, including, but not limited to, return frequency and methods. How will the temporary realignment of Wildhorse Road tie into Pueblo Blvd?
- Future M54 ponds for Pueblo Blvd will need to be identified, maintenance will be performed by the City of Pueblo.

Access:

CDOT Access Department has reviewed the submitted documents and my comments follow:

- CDOT Access Department will need to be continuously involved with the project moving forward. No Access Permits are required as of this annexation.
- A 1601 Study may be required for the extension of SH45/Pueblo Blvd. if an interchange is developed.
- An Access Permit will be required for any connection of local roadways to State Highways once alignments are determined.
- CDOT access Dept. does not have any comments as to the Annexation proposed.

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



Space Village Apartments Final Plat | 6895 Space Village
SF2025 | Final Plat

January 20, 2021
Page 2

advertising. Please contact Mr. Todd Ausbun at (719) 696-1403 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. Ausbun.

Please contact me in Pueblo at (719) 546-5732 or (719) 248-0905 with any questions.

Sincerely,

Arthur Gonzales
CDOT R2 Access Manager

Xc: Hu
Haberman
Whittlef
Jagow/Jones
Dahlke
Cress
Ausbun
Vigil/Gonzales/file



ATTACHMENT H

Jeff Hawkins, PE, CFM
Director of Stormwater



211 E. "D" Street
Pueblo, CO 81003

Phone (719) 553-2899
Fax (719) 553-2294

Stormwater Utility

MEMO

TO: Scott Hobson, Acting Director of Planning & Community Development
FROM: John Sakariason, Drainage Engineer
DATE: December 18, 2020
SUBJECT: Wildhorse Annexation Master Plan & WL Enterprises Master Plan Stormwater review 1st submittal

This memo is intended to serve as the Stormwater Utility's review of the referenced project submittal. Please forward to the applicant's representative.

Color Code: Black = December 18 Comments
(~~Crossed-out items~~ indicate they have been addressed.)

WL Enterprises Master Plan

Report:

Drainage report checklist not included. Cover letter not signed and certified by engineer.

Note - Engineer of record must review and sign off that he has reviewed this drainage report before submitting to the City.

A regulatory floodplain goes through portions of this development. No discussion or floodplain information was provided per the requirements on the checklist.

The calculation of peak runoff using Rational Method from MHFD does not meet the COP criteria. Utilize Standard Form SF-4.

Calculations:

All detention basin stage-storage graphs are blank and appear to serve no purpose. Why are they included in the report?

There are detention ponds shown to be in series. The amount of acreage tributary to the proposed series of detention ponds exceeds 160-acres. The Rational Method provides no means or methodology to generate and route hydrographs through drainage facilities. The Rational Method of analysis will inherently lead to inefficiencies in the required storage volume of the downstream facilities and should not be used. Please use an appropriate analysis method such as SCS or CUHP.

MHFD Detention spreadsheets were used for detention calculations. The table below shows applicable basin sizes. Since the Rational Method was used, it is likely that the spreadsheet results are not accurate. https://udfcd.org/wp-content/uploads/uploads/vol1%20criteria%20manual/06_Runoff.pdf

Table 6-1. Applicability of hydrologic methods

| Watershed Size (acres) | Is the Rational Method Applicable? | Is CUHP Applicable? |
|------------------------|------------------------------------|-----------------------------------------------------------------|
| 0 to 90 | Yes | Yes |
| 90 to 160 | No | Yes |
| 160 to 3,000 | No | Yes ¹ |
| Greater than 3,000 | No | Yes (subdividing into smaller catchments required) ¹ |

1. Subdividing into smaller subcatchments and routing the resultant hydrographs using SWMM may be needed to accurately model a catchment with areas of different soil types or percentages of imperviousness.

When modeling large watersheds, the subcatchment sizes can influence results. If heterogeneous land uses are “lumped” together into large subcatchments, the models may not accurately account for the “flashy” nature of runoff from impervious surfaces and peak rates of runoff may be underestimated. On the other hand, defining very small subcatchments can lead to complicated and unrealistic routing that can overestimate peak rates of runoff.

Map:

Vicinity Map is the same scale as all other maps and does not clearly show or label the site in relation to the nearest major roads or cities.

Contours are required to be shown over the entire development area and are not.

Basin lines are not clearly shown and do not match legend. There is a bermed railroad track that should be a basin line but has not been delineated. There are several existing culverts through this bermed railroad track that are required to be shown on the drainage map and are not.

There are existing tributary natural drainage channels that are required to be shown and are not.

A more exhaustive review of the drainage plan and report will be conducted after the plan and report are corrected and more information is submitted. A substantial amount of information is missing or needs changed. Another full review will be required.

Wildhorse Annexation Master Plan

Report:

Drainage report checklist not included. Cover letter not signed and certified by engineer.

Note - Engineer of record must review and sign off that he has reviewed this drainage report before submitting to the City.

A regulatory floodplain goes through portions of this development. No discussion or floodplain information was provided per the requirements on the checklist.

Calculations:

The calculation of peak runoff using Rational Method from MHFD does not meet the COP criteria. Utilize Standard Form SF-4.

Map:

Contours are required to be shown over the entire development area and are not. Basin lines according to the legend look like floodplain boundaries. Please revise plan and legend to match.

WH-4-A and WL-VIII-B (WL Enterprises Master Plan) appear to be the same basin. There is a proposed detention pond in WH-4-A and WL-VIII-A that would be right next to each other. This does not make sense. Please explain.

A more exhaustive review of the drainage plan and report will be conducted after the plan and report are corrected and more information is submitted. A substantial amount of information is missing or needs changed. Another full review will be required.

ATTACHMENT I

Nancy Keller
Wastewater Director



1300 S. Queens Ave
Pueblo, CO 81001

Phone (719) 553-2892
Fax (719) 553-2957

City of Pueblo Wastewater Department

MEMORANDUM

TO: Karen Elgin, Planner
FROM: Sonia Mondragon
DATE: 12/11/20
SUBJECT: Wildhorse Annexation Sanitary Sewer Master Plan Review

This memo is intended to serve as the Wastewater review of the referenced first master plan review submittal and shall be used as a record of the reason for the results of the review.

Section V. Design Requirements

Please use the hydraulic element to calculate the peak allowable flow, which can be found on Figure 2 of page 27 of the Sanitary Sewer Design Criteria Manual.

Section VI. Upstream Considerations

Pipes diameters do not appear to be sized for the upstream service areas. According to Section VI. Upstream Considerations, the area north of the site boundary along Pueblo Blvd., has 280 acres of undeveloped land, calculating to 1.316 cfs/acre (using the flow factor for "Areas outside Master Plan" (unplanned)). The area northwest of the site boundary along Hwy 50 has 400 acres of undeveloped land, calculating to 1.8 cfs/acre (using the flow factor for "Areas outside Master Plan" (unplanned)).

Section VIII. Outfall Sewer Alignment

Where is the existing sanitary sewer downstream of the connection point that was analyzed? What is the capacity analysis that is being referred to? The mains downstream of the 18-inch bottlenecks to an 8-inch main. An alternate alignment will need to be considered since existing conditions do not accommodate the additional flows from this proposed annexation. It may be possible to redirect the proposed flow from this annexation to the proposed sanitary sewer extension for the Southern Colorado Clinic project.

Please omit the last sentence of the first paragraph, stating "All upgrades downstream of the proposed connection points, if required, will be the sole responsibility of the City of Pueblo" as this contradicts with Section 16.5.4 of the City Ordinance.

ec. 16-5-4. - System improvements and extensions.

Upon and after the effective date of the ordinance adopting this Chapter, all development within the City shall require connection to the City's wastewater collection system and compliance with this Chapter. Should extension, addition or improvement to the collection system be required in order to connect or properly serve any development, as determined by the Director, it shall be the

developer's responsibility to construct such extension, addition or improvement, including any off-site, oversized or perimeter sewer collection system improvements, in accordance with the City's design criteria and specifications and at the developer's expense, subject to cost recovery as provided in this Chapter. (Ord. 6424, 4-26-99)

Section IX. Conclusion/Restrictions

The first sentence of this paragraph is confusing. Throughout the report, the calculations show that the existing 8-inch main servicing the Highway 50 West CDOT Maintenance Facility needs to be upsized by the city, however, the first sentence states that "the existing infrastructure has the capacity to handle all new flow". Please omit or clarify this statement.

Appendix A

Include peak factor calculation table showing the flow factor used to calculate the flow from each sub-basin.

Appendix B

Include Sanitary Sewer exhibit (Wastewater Master Plan – B-3 from the Index page) showing the direction of flow and pipe sizes for each basin.

Footer

Change the footer to the correct name of the project. Currently, the footer says "WL Enterprises ODL" and should be "Wildhorse..."

ATTACHMENT J



SOUTHEASTERN COLORADO
Water Conservancy District
"Your investment in water"

November 17, 2020

WL Enterprises Ltd
Attention Dee Rogers Brown, GP
503 N. Main Street Suite 125
Pueblo CO 81003

Subject: Notice of annexation for WL Annexation determined to be outside of Southeastern Colorado Water Conservancy District's boundaries

Dear Ms. Dee Rogers Brown:

Southeastern Colorado Water Conservancy District (District) received the notice of the below Wildhorse Annexation.

| County | Name of Applicant | Commonly Known As | Legal description of property |
|--------|-------------------|-------------------|-------------------------------|
| Pueblo | WL Enterprise Ltd | WL Annexation | Section 2,3,10 and 11 T20SR64 |

The District has determined that a the area requesting inclusion is located outside of the Southeastern Colorado Water Conservancy District boundaries.

According to the District's formation decree, and repayment contract for the Fryingpan-Arkansas Project with the U.S. Bureau of Reclamation (Reclamation), Secretarial assent is needed for changes of lands to be included in the District.

This assent is subject to Reclamation's review for National Environmental Policy Act (NEPA) compliance. The Applicant will need to complete the following attached questionnaire titled, *Application for Assent for Proposed Inclusions into the Southeastern Colorado Water Conservancy District and Ability to Receive of Fryingpan-Arkansas Project Water*. During the process, Reclamation may require further information.

NOTE: The Municipality or the Applicant is responsible for all costs related to Reclamation's review of inclusion.

Please recognize that this inclusion is **NOT** eligible to receive benefits from the Fryingpan-Arkansas Project until Reclamation has completed the NEPA process and assented to the inclusion into the District. The inclusion is subject to applicable terms and conditions that may be imposed by the District Board of Directors, not inconsistent with previous inclusion orders involving the same municipality, as provided in C.R.S. § 37-45-136(3.6), and which will be consistent with the District's Decree. The following are the District's standard terms and conditions for inclusion of municipal annexations:

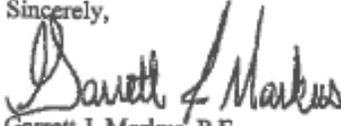
- a. Approval of the inclusion into the Southeastern Colorado Water Conservancy District ("District") will not increase the amount of Fryingpan-Arkansas Project water available to the Municipality. Any Fryingpan-Arkansas Project water used on these included lands will need to come from the water allocated to the Municipality through Fryingpan-Arkansas Project water allocations made pursuant to the District's Allocation Principles and Policies; and
- b. Any use of Fryingpan-Arkansas Project water on the included lands is subject to the decrees for the Fryingpan-Arkansas Project, and to all lawful rules, regulations, principles, policies, and contractual obligations of the Southeastern Colorado Water Conservancy District; and
- c. The included lands will be subject to ad valorem taxes levied by the District as any other similarly situated lands in the Southeastern Colorado Water Conservancy District at the time of this inclusion; and

- d. Prior to the District filing a petition for District Court approval of this inclusion, the Municipality and/or owner(s) of the annexed lands shall have paid all costs charged by the United States in connection with the contracting officer's assent to this inclusion.

NOTE: The inclusion process should be completed prior to any proposed land use change or proposed ground disturbance. All inclusion parcels are subject to the National Historical Preservation Act, 36 CFR 800, and NEPA. Any change in land use or disturbance after beginning the inclusion process and before Secretarial assent may cause the parcel to be permanently ineligible to receive Project water.

If you have any questions, please contact me at (719) 766-4261 or by e-mail garrett@secwcd.com.

Sincerely,



Garrett J. Markus, P.E.
Water Resources Engineer

Attachments:

- Application for Assent for Proposed Inclusions into the Southeastern Colorado Water Conservancy District and Ability to Receive of Fryingpan-Arkansas Project Water

CC: City of Pueblo -- Planning Department
District Files