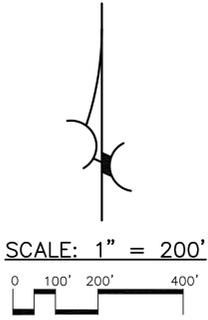


# EXHIBIT "B" ZONING EXHIBIT

A PARCEL OF LAND IN THE NW 1/4 OF SECTION 22,  
TOWNSHIP 20 SOUTH, RANGE 65 WEST, OF THE 6TH P.M. IN THE  
COUNTY OF PUEBLO, STATE OF COLORADO

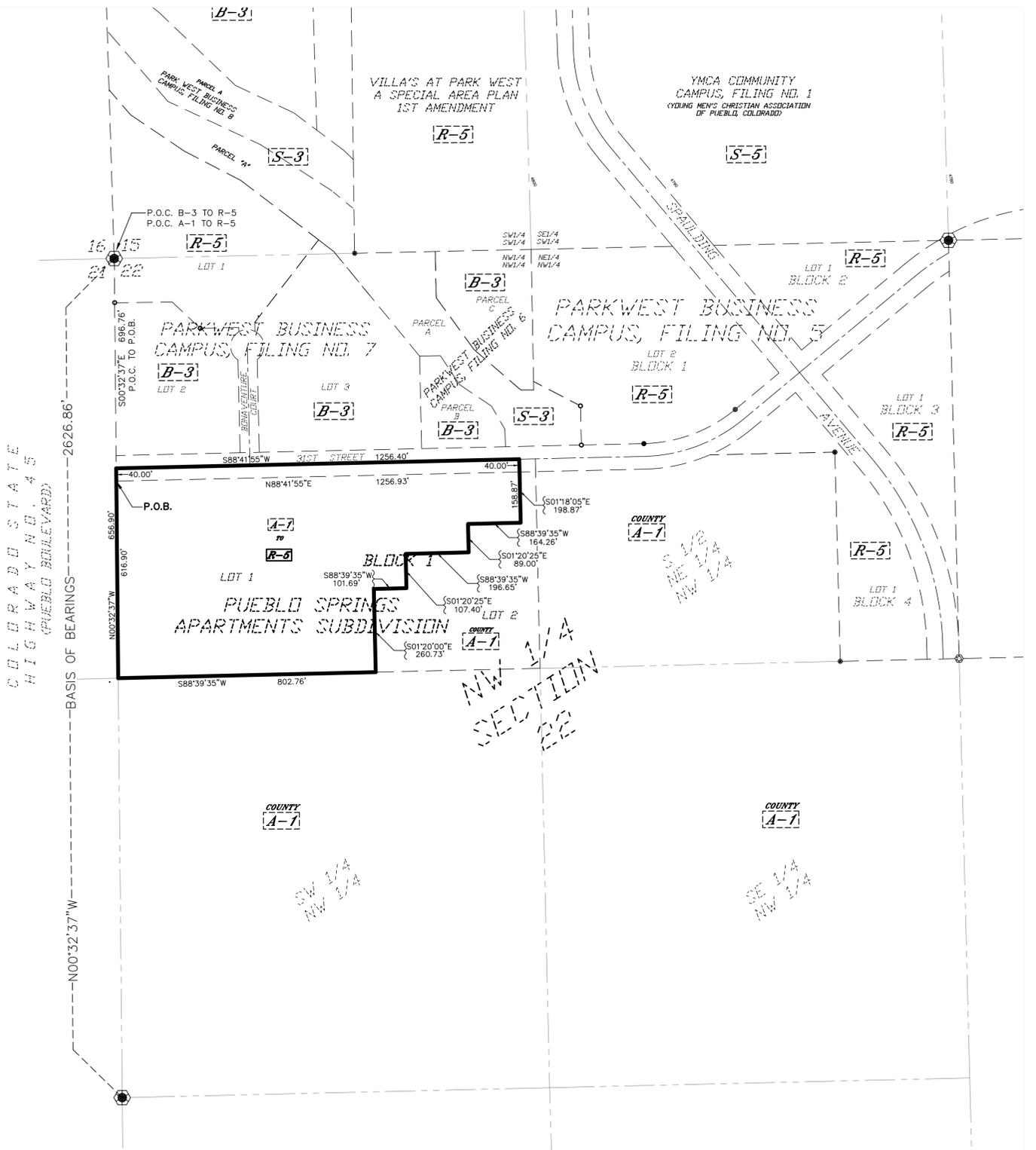


## LEGEND

- FOUND NO. 6 REBAR WITH 3 1/4" DIAMETER BRASS CAP, DEPARTMENT OF INTERIOR-BLM (APPROPRIATELY STAMPED)
- FOUND NO. 6 REBAR WITH 3 1/4" DIAMETER ALUMINUM CAP, (P.L.S. NO. 12933) (APPROPRIATELY STAMPED)
- FOUND NO. 4 REBAR WITH ORANGE PLASTIC CAP, (P.L.S. NO. 25869)
- FOUND NO. 4 REBAR WITH YELLOW PLASTIC CAP, (P.L.S. NO. 12933)
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- PROPOSED ZONING BOUNDARY
- EXISTING ZONING
- PROPOSED ZONING

## BASIS OF BEARINGS:

THE WEST LINE OF NW 1/4 OF SECTION 22, T. 20 S., R. 65 W. OF THE 6TH P.M. TO BEAR N. 00°32'37" W.



## LAND DESCRIPTION

REZONE A-1 TO R-5

A portion of the South one-half of the Northwest one-quarter of the Northwest one-quarter of Section 22, Township 20 South, Range 65 West of the 6th P.M. and a portion of the South one-half of 31st Street as platted in Park West Business Campus, Filing No. 5, according to the recorded plat thereof, as filed for record on May 8, 2008 at Reception No. 1768305 in the County of Pueblo, State of Colorado, being more particularly described as follows:

**Basis of Bearings:** The West Line of the Northwest one-quarter of Section 22, Township. 20 South, Range 65 West, of the 6th Principal Meridian monumented with a number 6 rebar with a 3 1/4 inch diameter Brass Cap, to bear N. 00°32'37" W. and all bearings being relative thereto.

Commencing at Northwest corner of said Section 22, said point being on the west line of Park West Business Campus, Filing No. 7, according to the recorded plat thereof, as filed for record on March 16, 2012 at Reception No. 1901886 in the Pueblo County records and being on the east line of Colorado State Highway No. 45 as presently located; thence S. 00°32'37" E. along said the west line of said Section 22, the west line of said Park West Business Campus, Filing No. 7 and the east line of said Colorado State Highway No. 45, a distance of 696.76 feet to the south right-of-way line of 31st Street and the Point of Beginning; thence N. 00°32'37" W. along the said west line of Park West Business Campus, Filing No. 7, a distance of 40.00 feet to the center of 31st Street right-of-way; thence N. 88°41'55" E. along the said centerline of the right-of-way of 31st Street, a distance of 1,256.40 feet; thence S. 01°18'05" E., a distance of 198.87 feet; thence S. 88°39'35" W., a distance of 164.26 feet; thence S. 01°20'25" E., a distance of 89.00 feet; thence S. 88°39'35" W., a distance of 196.65 feet; thence S. 01°20'25" E., a distance of 107.40 feet; thence S. 88°39'35" W., a distance of 101.69 feet; thence S. 01°20'00" E., a distance of 260.73 feet to the south line of the South one-half of the Northwest one-quarter of the Northwest one-quarter of said Section 22; thence S. 88°39'35" W. along the south line of said South one-half, a distance of 802.76 feet to the Southwest corner of said South one-half and the east line of Colorado State Highway No. 45 as presently located; thence N. 00°32'37" W. along the west line of said South one-half and said east line of Colorado State Highway No. 45, a distance of 616.90 feet to the south right-of-way line of 31st Street and the Point of Beginning.

Containing 15.01 acres, more or less.



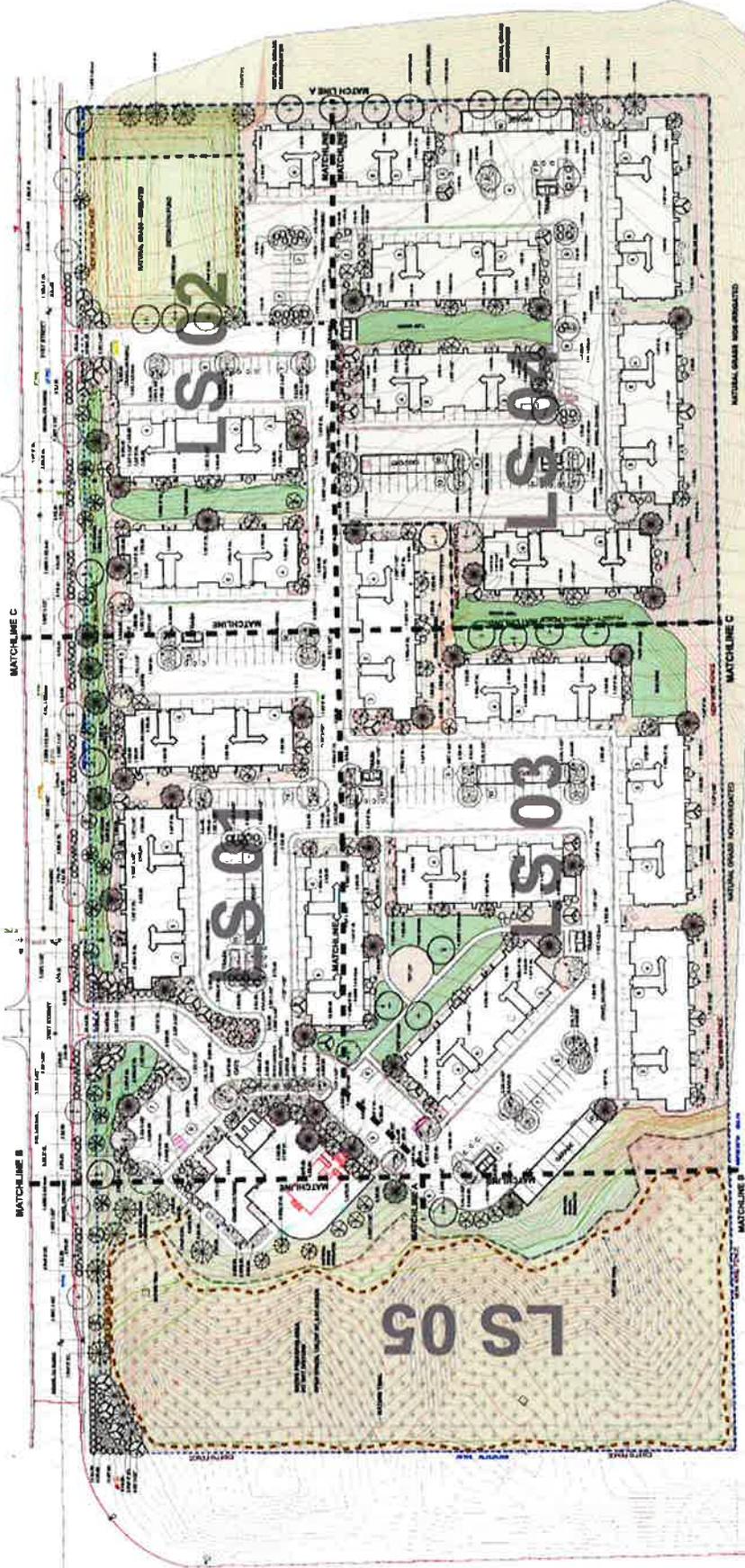
VICINITY MAP  
NOT TO SCALE

PREPARED

BY: NORTHSTAR ENGINEERING AND SURVEYING, INC.

**LANDSCAPE TABLE OF CONTENTS**

- LS 00 - LANDSCAPE PLAN KEY
- LS 01 - PLANTING PLAN SECTION 1 AT 1"=20"
- LS 02 - PLANTING PLAN SECTION 2 AT 1"=20"
- LS 03 - PLANTING PLAN SECTION 3 AT 1"=20"
- LS 04 - PLANTING PLAN SECTION 4 AT 1"=20"
- LS 05 - PLANTING PLAN SECTION 5 AT 1"=20"
- LS 06 - PLANTING PLAN SECTION 6 AT 1"=20"
- LS 07 - INSTALLATION DETAIL 5



**PHASE 1** ← → **PHASE 2**

PHASE 1	PHASE 2
<p><b>LANDSCAPE SECTION</b></p> <p>DATE: 5/18/2021</p> <p>JOB NUMBER: 00001</p> <p>DRAWN BY: WJZ</p> <p>CHECKED BY: WJZ</p> <p>SCALE: N/A</p> <p>SHEET: LS 00</p>	<p><b>LANDSCAPE OPEN SPACE (LOS)</b></p> <p>ZONE DISTRICT: 14.5, 15.0, 16.0, 17.0, 18.0, 19.0, 20.0, 21.0, 22.0, 23.0, 24.0, 25.0, 26.0, 27.0, 28.0, 29.0, 30.0, 31.0, 32.0, 33.0, 34.0, 35.0, 36.0, 37.0, 38.0, 39.0, 40.0, 41.0, 42.0, 43.0, 44.0, 45.0, 46.0, 47.0, 48.0, 49.0, 50.0, 51.0, 52.0, 53.0, 54.0, 55.0, 56.0, 57.0, 58.0, 59.0, 60.0, 61.0, 62.0, 63.0, 64.0, 65.0, 66.0, 67.0, 68.0, 69.0, 70.0, 71.0, 72.0, 73.0, 74.0, 75.0, 76.0, 77.0, 78.0, 79.0, 80.0, 81.0, 82.0, 83.0, 84.0, 85.0, 86.0, 87.0, 88.0, 89.0, 90.0, 91.0, 92.0, 93.0, 94.0, 95.0, 96.0, 97.0, 98.0, 99.0, 100.0</p>
<p><b>LANDSCAPE OPEN SPACE (LOS)</b></p> <p>DATE: 5/18/2021</p> <p>JOB NUMBER: 00001</p> <p>DRAWN BY: WJZ</p> <p>CHECKED BY: WJZ</p> <p>SCALE: N/A</p> <p>SHEET: LS 00</p>	<p><b>LANDSCAPE OPEN SPACE (LOS)</b></p> <p>ZONE DISTRICT: 14.5, 15.0, 16.0, 17.0, 18.0, 19.0, 20.0, 21.0, 22.0, 23.0, 24.0, 25.0, 26.0, 27.0, 28.0, 29.0, 30.0, 31.0, 32.0, 33.0, 34.0, 35.0, 36.0, 37.0, 38.0, 39.0, 40.0, 41.0, 42.0, 43.0, 44.0, 45.0, 46.0, 47.0, 48.0, 49.0, 50.0, 51.0, 52.0, 53.0, 54.0, 55.0, 56.0, 57.0, 58.0, 59.0, 60.0, 61.0, 62.0, 63.0, 64.0, 65.0, 66.0, 67.0, 68.0, 69.0, 70.0, 71.0, 72.0, 73.0, 74.0, 75.0, 76.0, 77.0, 78.0, 79.0, 80.0, 81.0, 82.0, 83.0, 84.0, 85.0, 86.0, 87.0, 88.0, 89.0, 90.0, 91.0, 92.0, 93.0, 94.0, 95.0, 96.0, 97.0, 98.0, 99.0, 100.0</p>
<p><b>LANDSCAPE OPEN SPACE (LOS)</b></p> <p>DATE: 5/18/2021</p> <p>JOB NUMBER: 00001</p> <p>DRAWN BY: WJZ</p> <p>CHECKED BY: WJZ</p> <p>SCALE: N/A</p> <p>SHEET: LS 00</p>	<p><b>LANDSCAPE OPEN SPACE (LOS)</b></p> <p>ZONE DISTRICT: 14.5, 15.0, 16.0, 17.0, 18.0, 19.0, 20.0, 21.0, 22.0, 23.0, 24.0, 25.0, 26.0, 27.0, 28.0, 29.0, 30.0, 31.0, 32.0, 33.0, 34.0, 35.0, 36.0, 37.0, 38.0, 39.0, 40.0, 41.0, 42.0, 43.0, 44.0, 45.0, 46.0, 47.0, 48.0, 49.0, 50.0, 51.0, 52.0, 53.0, 54.0, 55.0, 56.0, 57.0, 58.0, 59.0, 60.0, 61.0, 62.0, 63.0, 64.0, 65.0, 66.0, 67.0, 68.0, 69.0, 70.0, 71.0, 72.0, 73.0, 74.0, 75.0, 76.0, 77.0, 78.0, 79.0, 80.0, 81.0, 82.0, 83.0, 84.0, 85.0, 86.0, 87.0, 88.0, 89.0, 90.0, 91.0, 92.0, 93.0, 94.0, 95.0, 96.0, 97.0, 98.0, 99.0, 100.0</p>
<p><b>LANDSCAPE OPEN SPACE (LOS)</b></p> <p>DATE: 5/18/2021</p> <p>JOB NUMBER: 00001</p> <p>DRAWN BY: WJZ</p> <p>CHECKED BY: WJZ</p> <p>SCALE: N/A</p> <p>SHEET: LS 00</p>	<p><b>LANDSCAPE OPEN SPACE (LOS)</b></p> <p>ZONE DISTRICT: 14.5, 15.0, 16.0, 17.0, 18.0, 19.0, 20.0, 21.0, 22.0, 23.0, 24.0, 25.0, 26.0, 27.0, 28.0, 29.0, 30.0, 31.0, 32.0, 33.0, 34.0, 35.0, 36.0, 37.0, 38.0, 39.0, 40.0, 41.0, 42.0, 43.0, 44.0, 45.0, 46.0, 47.0, 48.0, 49.0, 50.0, 51.0, 52.0, 53.0, 54.0, 55.0, 56.0, 57.0, 58.0, 59.0, 60.0, 61.0, 62.0, 63.0, 64.0, 65.0, 66.0, 67.0, 68.0, 69.0, 70.0, 71.0, 72.0, 73.0, 74.0, 75.0, 76.0, 77.0, 78.0, 79.0, 80.0, 81.0, 82.0, 83.0, 84.0, 85.0, 86.0, 87.0, 88.0, 89.0, 90.0, 91.0, 92.0, 93.0, 94.0, 95.0, 96.0, 97.0, 98.0, 99.0, 100.0</p>
<p><b>LANDSCAPE OPEN SPACE (LOS)</b></p> <p>DATE: 5/18/2021</p> <p>JOB NUMBER: 00001</p> <p>DRAWN BY: WJZ</p> <p>CHECKED BY: WJZ</p> <p>SCALE: N/A</p> <p>SHEET: LS 00</p>	<p><b>LANDSCAPE OPEN SPACE (LOS)</b></p> <p>ZONE DISTRICT: 14.5, 15.0, 16.0, 17.0, 18.0, 19.0, 20.0, 21.0, 22.0, 23.0, 24.0, 25.0, 26.0, 27.0, 28.0, 29.0, 30.0, 31.0, 32.0, 33.0, 34.0, 35.0, 36.0, 37.0, 38.0, 39.0, 40.0, 41.0, 42.0, 43.0, 44.0, 45.0, 46.0, 47.0, 48.0, 49.0, 50.0, 51.0, 52.0, 53.0, 54.0, 55.0, 56.0, 57.0, 58.0, 59.0, 60.0, 61.0, 62.0, 63.0, 64.0, 65.0, 66.0, 67.0, 68.0, 69.0, 70.0, 71.0, 72.0, 73.0, 74.0, 75.0, 76.0, 77.0, 78.0, 79.0, 80.0, 81.0, 82.0, 83.0, 84.0, 85.0, 86.0, 87.0, 88.0, 89.0, 90.0, 91.0, 92.0, 93.0, 94.0, 95.0, 96.0, 97.0, 98.0, 99.0, 100.0</p>

WJZ Enterprises, LLC  
 Landscape Architecture  
 11111 E. 1st Ave.  
 Pueblo, CO 81005  
 (719) 220-4433

**LANDSCAPE PLAN**  
 SHEET DESCRIPTION:

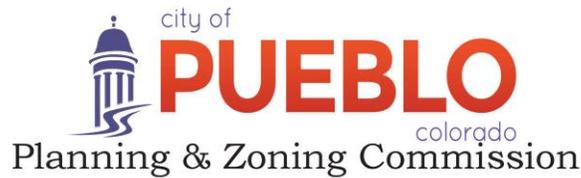
**PUEBLO SPRINGS APARTMENTS**  
 Northeast Corner N. Pueblo Blvd. & West 31st St.

REVISIONS:  
 1st SUB 11-26-21

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. **Z-21-18 Pueblo Springs Apartments:** Rezoning approximately eighteen (18.55) acres generally located southeast of the intersection of W. Pueblo Blvd and 31st Avenue currently zoned A-1 being rezoned to R-5 (Multiple Residential and Office District).

Staff Report by Wade Broadhead, Planner

The applicant is requesting to rezone Lot One (15.01 acres) of the Pueblo Springs Apartments Subdivision from A-1, Agricultural One to R-5, Multiple-Residential and Office District to facilitate the development of a new apartment complex.

### **BACKGROUND:**

The subject property was annexed into the city in November of 2021 and rezoned A-1 as an interim zoning classification until the time of development, as allowed by the approved Annexation Agreement (rezoning case Z-21-12), The current request is to rezone the western 15 acres of the property, proposed Lot 1, Pueblo Springs Apartments Subdivision, to R-5 Multiple Residential and Office district for the purposes of erecting a twelve building, 199 unit apartment complex for Phase 1. “Residence, multifamily” is a Use by Right in the proposed R-5 Zone District. The area is designated as Urban Residential Future Land Use Category, which allows for garden apartments (low-rise apartment structures) along collector and arterial roads. The proposed Pueblo Springs Apartments are situated at the southeast corner of W. Pueblo Boulevard (expressway) and W. 31st Street (collector) and are three stories with ample outdoor recreation amenities. The immediate area is now home to two large multifamily developments, a senior living facility and market rate apartment complex. The adjacent properties to the south, east, and west are all vacant prairie and as such there is no negative impact to surrounding residential neighborhoods. The R-5 Zoning and apartment complex are well situated for direct access to Pueblo Boulevard and Highway 50 and easy access to the south, east, and west and keeping high density uses directly along major arterials that can reduce neighborhood congestion.

The applicant has provided a commercial site plan detailing the 199-unit apartment complex. The site plan shows twelve structures located on Lot One to be constructed in Phase 1. The western portion of the rezoning site will be reserved for open space to protect the low bluffs and utilize the landscape as a noise barrier from Pueblo Boulevard and the applicant has enough space to meet the 20% Open Space requirement. The apartment complex will have a clubhouse, pool, and walking trails. The applicant hopes to secure funding for Phase Two on Lot two shortly. City departments are reviewing the commercial plans and have made all modifications to guarantee utility and vehicular access to the two-lot subdivision. The proposed rezoning is in conformance with the Pueblo Regional Comprehensive Plan and is in conformance with the existing pattern of development in the immediate area.

### **ANALYSIS:**

#### **Comprehensive Plan Compliance:**

The project site has been designated by the Pueblo Comprehensive Plan as “Urban Residential.” The Pueblo Comprehensive Plan designation of *Urban Residential* area states neighborhoods are

found predominantly within the city limits of Pueblo and the urbanizing areas in the City's immediate periphery. These neighborhoods have a mixture of housing types and neighborhood commercial services. The Comprehensive Plan states further that "zoning for duplexes, garden apartments and small office buildings may be allowed along collector and arterial roads." The proposed rezoning site is located east of N. Pueblo Boulevard, which is an expressway and south of W. 31<sup>st</sup> Street, which is a Collector Road, meeting the criteria for multifamily residential development within the Urban Residential land use designation. The proposed R-5, Mixed-Residential and Office District is in conformance with the actual development of the immediate area and in conformance with the Comprehensive plan.

**RECOMMENDED ACTION:**

Staff recommends the Planning and Zoning Commission make a recommendation to City Council that the zoning map amendment be **APPROVED**.

**HEARING: Emery Chuckly, 5671 N Oracle Rd, Suite 1102, Tucson, AZ, represented the application.**

No one spoke in support or opposition for the application.

**COMMISSION ACTION:**

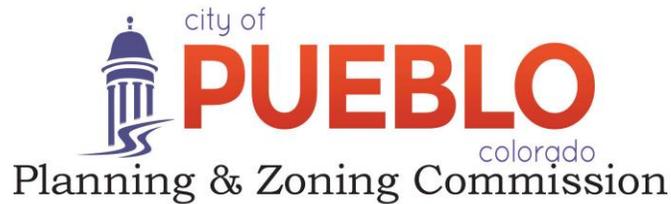
Motion to recommend approval of the rezoning made by Bailey, second by Pasternak.

**MOTION PASSED 7-0**

Mike Castellucci  
Chair

Patrick Avalos  
Vice Chair

Bob Schilling  
City Council Representative



Christopher Pasternak

Alexandra Aznar

Elizabeth Bailey

Cheryl Spinuzzi

## Z-21-18

**TO:** City of Pueblo, Planning and Zoning Commission

**FROM:** Wade Broadhead, Planner

**THROUGH:** Scott Hobson, Acting Director of Planning and Community Development

**DATE:** December 8, 2021

**SUBJECT:** Rezone from A-1, Agricultural One to R-5, Multiple-Residential and Office District

**APPLICANT:** Emery Chukly  
Pueblo Springs Apartments, LLC.

**PROPERTY OWNER:** Emery Chukly, Pueblo Springs Apartments, LLC.

**LOCATION:** Generally located at the southeast corner of the intersection of W. Pueblo Blvd and 31<sup>st</sup> Streets

**CONCURRENT REQUESTS:** S-21-09 Pueblo Springs Apartments Subdivision

### **REQUEST:**

The applicant is requesting to rezone Lot One (15.01 acres) of the Pueblo Springs Apartments Subdivision from A-1, Agricultural One to R-5, Multiple-Residential and Office District to facilitate the development of a new apartment complex.

### **BACKGROUND AND ANALYSIS:**

The subject property was annexed into the city in November of 2021 and rezoned A-1 as an interim zoning classification until the time of development, as allowed by the approved Annexation Agreement (rezoning case Z-21-12). The current request is to rezone the western 15 acres of the property, proposed Lot 1, Pueblo Springs Apartments Subdivision, to R-5 Multiple Residential and Office district for the purposes of erecting a twelve building, 199 unit apartment complex for Phase 1. "Residence, multifamily" is a Use By Right in the proposed R-5 Zone District. The area is designated as Urban Residential Future Land Use Category, which allows for garden apartments (low-rise apartment structures) along collector and arterial roads. The proposed Pueblo Springs Apartments are situated at the southeast corner of W. Pueblo Boulevard (expressway) and W. 31<sup>st</sup> Street (collector) and are three stories with ample outdoor recreation amenities. The immediate area is now home to two large multifamily developments, a senior living facility and market rate apartment complex. The adjacent properties to the south, east, and west are all vacant prairie and as such there is no negative impact to surrounding residential neighborhoods. The R-5 Zoning and apartment complex are well situated for direct access to Pueblo Boulevard and Highway 50 and easy access to the south, east, and west and keeping high density uses directly along major arterials that can reduce neighborhood congestion.

The applicant has provided a commercial site plan detailing the 199-unit apartment complex. The site plan shows twelve structures located on Lot One to be constructed in Phase 1. The western portion of the rezoning site will be reserved for open space to protect the low bluffs and utilize the landscape as a noise barrier from Pueblo Boulevard and the applicant has enough space to meet the 20% Open Space requirement. The apartment complex will have a clubhouse, pool, and walking trails. The applicant hopes to secure funding for Phase Two on Lot two shortly. City departments are reviewing the commercial plans and have made all modifications to guarantee utility and vehicular access to the two-lot subdivision. The proposed rezoning is in conformance with the Pueblo Regional Comprehensive Plan and is in conformance with the existing pattern of development in the immediate area.

---

## **PLANNING AND COMMUNITY DEVELOPMENT COMMENTS**

### **CHARACTER AND COMPATIBILITY:**

❑ **Site Character:**

The subject property is undeveloped and currently being subdivided.

❑ **Neighborhood Compatibility:**

North B-3 and R-5, Apartments and Office uses

East County A-1, undeveloped prairie.

South County A-1, undeveloped prairie

West PUD and S-1, Honor Farm Open Space and undeveloped land

❑ **Comprehensive Plan Compliance:**

- ❑ The project site has been designated by the Pueblo Comprehensive Plan as “Urban Residential.” The Pueblo Comprehensive Plan designation of *Urban Residential* area states neighborhoods are found predominantly within the city limits of Pueblo and the urbanizing areas in the City’s immediate periphery. These neighborhoods have a mixture of housing types and neighborhood commercial services. The Comprehensive Plan states further that “zoning for duplexes, garden apartments and small office buildings may be allowed along collector and arterial roads.” The proposed rezoning site is located east of N. Pueblo Boulevard, which is an expressway and south of W. 31<sup>st</sup> Street, which is a Collector Road, meeting the criteria for multifamily residential development within the Urban Residential land use designation. The proposed R-5, Mixed-Residential and Office District is in conformance with the actual development of the immediate area and in conformance with the Comprehensive plan.

### **ABILITY TO COMPLY WITH THE PROPOSED ZONE DISTRICT:**

❑ **Minimum lot size and area:**

The proposed 13.85 acre lot meets the 8,000 square foot minimum lot area. Based on number of units the minimum lot size is 199,000 square feet and the property contains over 600,000 square feet. The proposed lot has a 1,300-foot lot width, which meets the minimum 50-foot lot width.

❑ **Lot coverage:**

- The R-5 Zone District allows a maximum lot coverage of 50-percent.

- Staff is reviewing the commercial site plan currently and the proposed lot coverage is well below the 50 percent.

□ **Zone District Performance Standards:**

The R-5 Zone District Performance Standards (Sec. 17-4-4(b)) provide the requirements relating to minimizing the impact of the development on the surrounding, since the proposed development is planned at 199 units it will be following Section 17-4-4(b)(2) below:

- (1) Three (3) to Five (5) family unit structures shall have one thousand five hundred (1,500) square feet of lot area per dwelling area.
- (2) Six (6) or more family dwelling unit structures shall have a minimum of eight thousand (8,000) of lot area or one thousand (1,000) square feet per dwelling unit, whichever is greater and, other permitted uses shall provided at least five thousand (5,000) square feet of lot area. Residential structures, if one (1) to three (3) habitable stories, shall provide at least twenty percent (20%) in landscaped open space; or if four or more habitable stories, shall provide at least fifty percent of the parcel in landscaped open space. The performance standards in Section 17-4-5 shall apply in the R-5 District.

The applicant would need 199,000 square feet of lot area to conform and presently they have approximately 600,000 square feet for development, leaving enough for the 20% required landscaped area after accounting for the required 199,000 square feet.

**APPLICATION REQUIREMENT PER §17-6-1 OF THE PUEBLO MUNICIPAL CODE**

The applicant's name and address and the name and address of any person, firm or corporation represented by such applicant in the application

- Comments      **The application contains applicant's information.**

The interest of the applicant and the interest of the person, firm or corporation represented by the applicant, be it legal, sales development, operation or other interest.

- Comments      **The property owner is the applicant.**

The nature of the amendment and a legal description of the property that would be affected by the amendment.

- Comments      **A full legal description of the property was provided with the application and is attached to the staff report.**

A general description of the proposed development to the distance which will be affected; such description including subjects of environmental effect, economic effect and traffic effect, if any; and such description carried out in scope and detail to the extent needed to support the requested amendment and as may be required by the Planning and Zoning Commission.

- Comments      **The applicant proposes to implement a new apartment use.**

A tentative site plan showing proposed structures, uses, open spaces, facilities for parking and loading and arrangements for pedestrian and vehicular circulation.

- Comments      **A site plan is attached to the staff report and currently under commercial site plan review.**

A statement of the proposed time schedule for beginning and completion of development.

- Comments      **The applicant will begin development in 2022.**

A statement reasonably indicating the applicant's economic responsibility and capability of accomplishing the development for which a zoning amendment is requested.

- Comments      **The applicant will phase development based on available funding.**

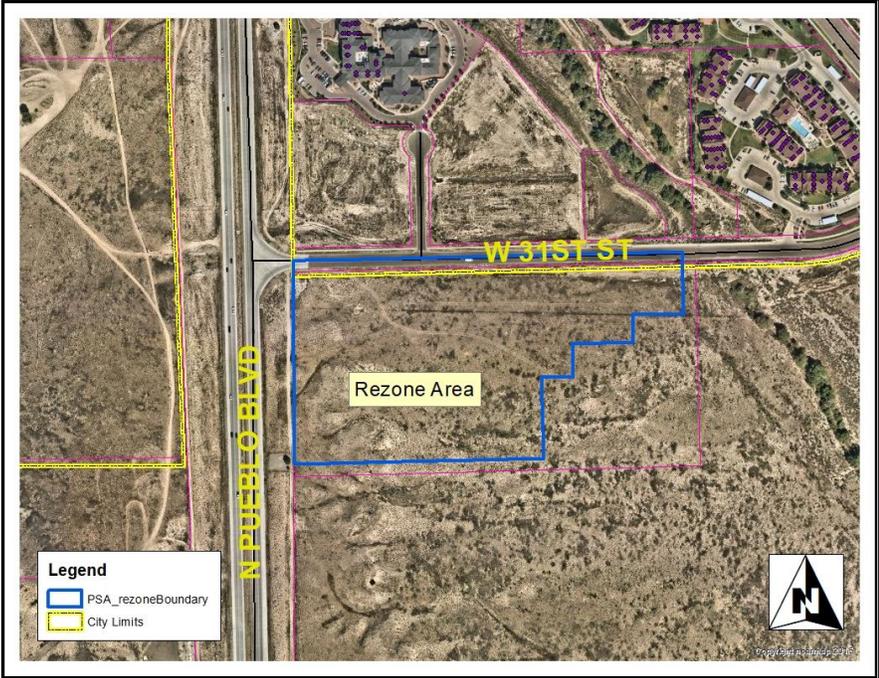
**RECOMMENDED ACTION:**

Staff recommends the Planning and Zoning Commission make a recommendation to City Council that the zoning map amendment be **APPROVED**:

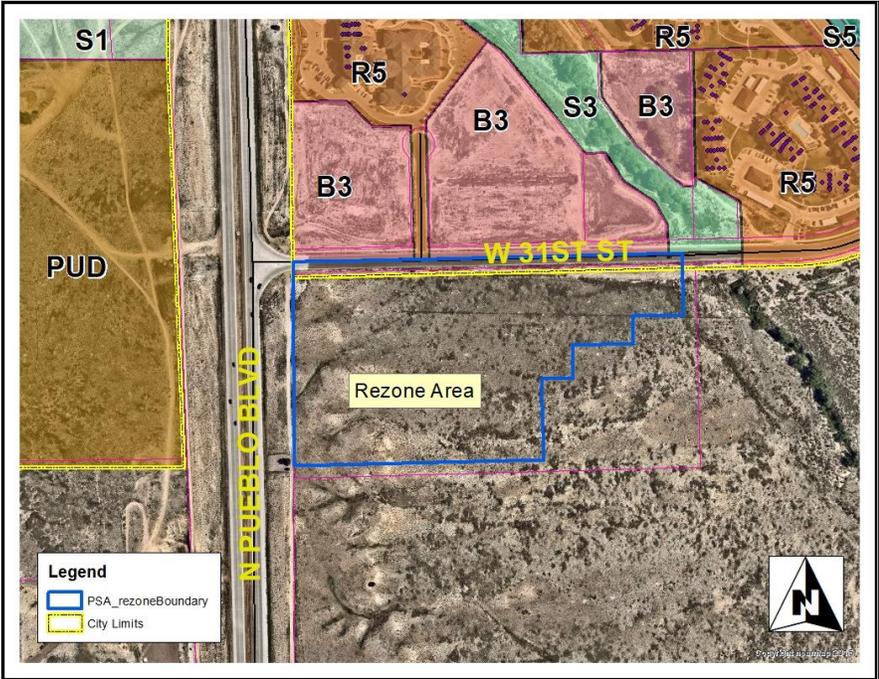
**TTACHMENTS:**

- A. **Arial Photograph**
- B. **Zoning Map**
- C. **Comprehensive Plan Map**
- D. **Site Photographs**
- E. **R-5 Zone District Information Sheet**
- F. **Application**
- G. **Project Description**
- H. **Rezoning Exhibit**
- I. **Proposed Site Plan**

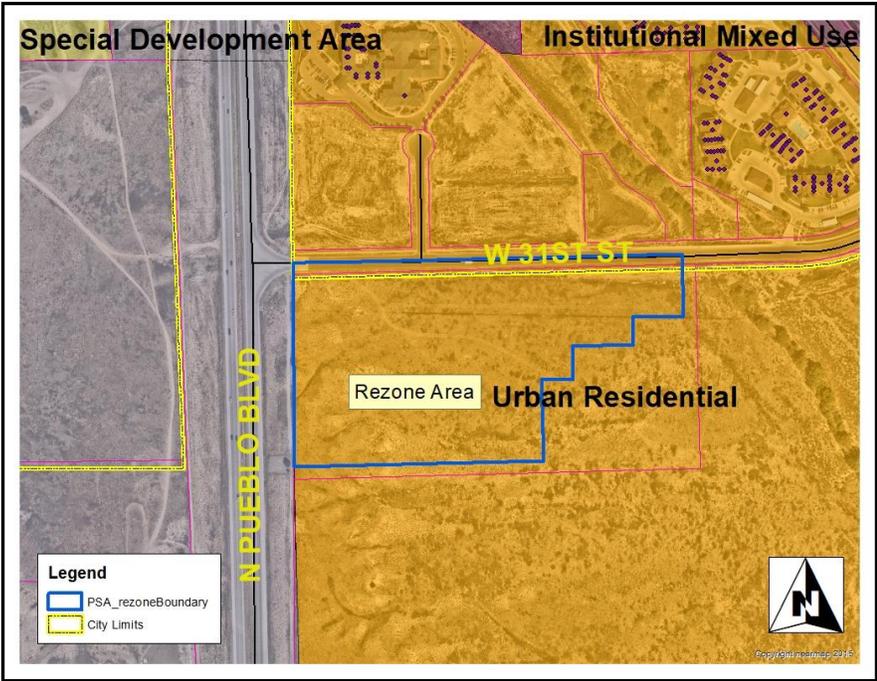
**ATTACHMENTS:**



**A. Aerial Photograph**



**B. Zoning Map**



C. Comprehensive Plan Map



Public Notice Poster



Site overview photo looking west toward the low hills.

**Zone District: R-5** (Multiple-residential and Office District)

Purpose. The standards of this district (R-5) are designed to retain and provide areas of high density multifamily dwelling unit structures with limited commingling of professional offices and studios.

Setbacks:	Front	25'	Side	5'	Rear	15'
Coverage:	50%					
Floor Area Ratio	2	Floor Area / Land Area				
Max. Height	Unlimited	(See Section 17-4-6 for additional setbacks required for structures over 35' in height)				

Minimum Lot Width: 50'

Minimum Lot Size: 3,000 Square Feet (\*1)

(\*1) Three (3) to five (5) family dwelling unit structures shall have one thousand five hundred (1,500) square feet of lot area per dwelling unit.

(\*1) Six (6) or more family dwelling unit structures and other permitted uses shall have a minimum of eight thousand (8,000) square feet of lot area or one thousand (1,000) square feet per dwelling unit, whichever is greater and, if one (1) to three (3) habitable stories, shall provide at least twenty percent (20%) of the parcel in landscaped open space; if over four (4) habitable stories, shall provide at least fifty percent (50%) of the parcel in landscaped open space. Up to one-half (1/2) of the required open space may be in the form of balconies of at least four (4) feet wide on roofs developed and maintained as garden or recreation areas, but in no case shall space provided for off-street parking, loading or road access ways be counted as open space; and provided that the other permitted uses shall provide a parcel of land at least five thousand (5,000) square feet.

---

**Single Family Homes:** § 17-4-11 Single family home placement standards

**Performance standards:** § 17-4-4(b)

**Outdoor Lighting** § 17-4-52 Outdoor Lighting Performance Standards.

**Off Street Parking** § 17-4-43 Off-street parking non-residential.

**Landscape:** Required. § 17-4-7

**Public Sidewalks:** § 17-4-44

**Permitted Uses** § 17-4-51(c)

**Uses by right.**

- |  |                                   |                                      |
|--|-----------------------------------|--------------------------------------|
| 1. Accessory community garden            | 10. Civic club                    | 21. Parking lot                      |
| 2. Accessory heliport, emergency medical | 11. Home, Children                | 22. Religious institution            |
| 3. Art gallery                           | 12. Home, Disabled                | 23. Residence, condominium           |
| 4. Assisted living facility              | 13. Home, elderly                 | 24. Residence, multi-family          |
| 5. Beauty salon or barbershop            | 14. Hospital                      | 25. Residence, one-family            |
| 6. Bed and breakfast home                | 15. Manufactured home, one-family | 26. Residence, three and four family |
| 7. Bed and breakfast inn                 | 16. Mixed Use                     | 27. Residence, townhouse             |
| 8. Boarding-house                        | 17. Museum                        | 28. Residence, two-family (duplex)   |
| 9. Child care center                     | 18. Office, general               | 29. Urgent care facility             |
|  | 19. Office, medical               | 30. Wedding facility                 |
|  | 20. Office, professional          |                                      |

**Uses by review.**

- |                                      |                                 |                                   |
|--------------------------------------|---------------------------------|-----------------------------------|
| 1. Accessory commissary              | 11. Crematory                   | 22. Nursing home                  |
| 2. Accessory drive-thru              | 12. Financial institution       | 23. Parks, trails and open space  |
| 3. Accessory emergency generator     | 13. Funeral home                | 24. Public utilities              |
| 4. Accessory pigeon and dove keeping | 14. General service             | 25. Recreation facilities, indoor |
| 5. Adult day service center          | 15. Group care facility         | 26. Restaurant                    |
| 6. Broadcasting studio               | 16. Halfway house               | 27. Restaurant, carry-out         |
| 7. Catering service                  | 17. Heliport, emergency medical | 28. School, trade                 |
| 8. Charitable institution            | 18. Hospice care facility       | 29. Student Housing               |
| 9. Commercial, established           | 19. Instructional studio        | 30. Theater, general              |
| 10. Community center                 | 20. Massage establishment       |                                   |
|                                      | 21. Mortuary                    |                                   |

**Conditional uses:**

- |   |                              |   |
|---|------------------------------|---|
| 1. Accessory antenna                            | 5. Artist studio             | 10. Legal non-conforming uses           |
| 2. Accessory commercial patio                   | 6. Child care home           | 11. Live-work unit                      |
| 3. Accessory medical marijuana home cultivation | 7. Community garden          | 12. Temporary construction yard         |
| 4. Accessory solar array                        | 8. Development in floodplain | 13. Temporary mobile food vendor        |
|   | 9. Home based business       | 14. Temporary model home (sales office) |



# Planning & Zoning Map Amendment Application (Rezoning)

Please type or print clearly. Illegible applications will not be accepted. Case #: \_\_\_\_\_

<b>Property Owner</b>	
Name: Emery S. Chuckly	
Company: Pueblo Springs Apartments, LLC, a Colorado limited liability company	
Address: 5671 North Oracle Rd, Ste 1102, Tucson AZ	Zip: 85704
Phone: ( ) 520-742-2114	Email: echuckly@gmail.com
<b>Applicant</b>	
Name: same as owner	
Company:	
Address:	Zip:
Phone: ( )	Email:
<b>Person or Firm Representing (If Different From) Owner or Applicant</b>	
Name: Michael Cuppy	
Company: NorthStar Engineering and Surveying, Inc.	
Address: 111 E 5th Street, Pueblo CO.	Zip: 81003
Phone: ( ) 719-544-6823	Email: mcuppy@northstar-co.com
<i>The applicant will be the primary contact unless otherwise noted.</i>	
<b>Project Location:</b> 31st Street, S 1/2, NW 1/4, NW 1/4, section 22, T20S R65W <small>(address or general description)</small>	
Parcel# 522000056	
Legal Description: S 1/2, NW 1/4, NW 1/4, Section 22, T20S, R65W	
Subdivision: Pueblo Springs Apartments Sub	Acreage: 15.01
<b>Existing Zone District:</b> A-1	<b>Proposed Zone District:</b> R-5

**Purpose of this Application:**

- To permit development of the property not allowed under the existing zone district.
- To provide proper zone district in conjunction with the subdivision plan for the area.
- In conjunction with the Annexation petition to annex the property in a use different than the existing Pueblo County Zoning.
- Other (specify): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

(Continued from previous page)

**Statement of Facts:**

Justifying the zone change request. Be specific; use additional sheets if necessary.

The property is currently zoned A-1. This rezone to R-5 would allow the property to be developed as apartments which is the intended use. This rezone request will be followed by a subdivision of the annexed property to facilitate the proposed development.

Description of area surrounding proposed development:

The site lies south of the existing 31st Street with the Villas at Parkwest development to the north side of 31st. Pueblo Blvd. lies to the west and undeveloped rangeland lies to the south and east.

A general description of the proposed development to the distance which will be affected; such description including subjects of environmental effect, economic effect and traffic effect, if any; and such description carried out in scope and detail to the extent needed to support the requested amendment and as may be required by the Planning and Zoning Commission.

Proposed development includes apartments and other various site improvements to support the apartments. Existing 31st Street has the capacity and utilities to support the development. New detention/drainage facilities will be installed on-site at the time of development. This development is compatible with the existing adjacent development.

- A tentative site plan showing proposed structures, uses, open spaces, facilities for parking and loading and arrangements for pedestrian and vehicular circulation.

Estimated date for beginning project: End of 2021

Estimated date for completion of project: End of 2022

A statement reasonably indicating the applicant's economic responsibility and capability of accomplishing the development for which a zoning amendment is requested.

The applicant acknowledges the economic responsibility and has the capability of accomplishing the development for which the zoning amendment is requested.

- CD with DWF and DWG (Autocad) file of all plans and drawings & a PDF of all documents submitted. (if applicable)

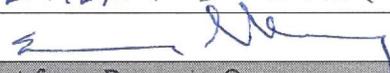
By signing below, the Property Owner and Applicant are representing that each understands and agrees to the following terms:

1. Authorized personnel from the City of Pueblo, are hereby granted the right to enter the subject property for the purposes of reviewing and processing the application, including Certificate of Occupancy Inspections.

<b>Office Use Only</b>	<b>Zoning Compliance (Completed by City Staff)</b>	
	Application received by:	Date:
	Application checked for completeness by:	Date:
	Case Manager:	Fee Paid:
	Hearing date:	<input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Approved w/conditions

211 East D Street | Pueblo, Colorado 81003 | Tel 719-553-2259 | Fax 719-553-2359 | TTY 719-553-2611 | www.pueblo.us

2. There are no known hazards or vicious animals present on the subject property.
3. All information contained in this application, is true and accurate to the best of my knowledge.
4. The City of Pueblo is under no obligation to approve the request contained in this application. No promises of approval are conveyed with the acceptance of this application.

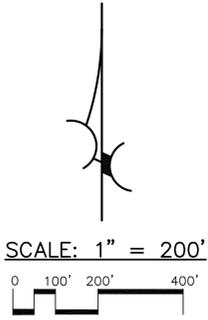
Property Owner		
Print Name:	EMERY S CHUKLT	
Signature:		Date: Oct 6 2021
Applicant, if different from Property Owner		
Print Name:		
Signature:		Date:

**Project Narrative**  
**Pueblo Springs Apartments**

The property is currently in the zoned A-1. This subdivision and zoning map amendment will be the next steps in developing a future multi-family apartment development adjacent to 31<sup>st</sup> Street. The site lies south of existing 31<sup>st</sup> Street with the Villas at Parkwest Apartments development adjacent to the north side of 31<sup>st</sup> Street. The site is currently undeveloped and the existing 31<sup>st</sup> Street roadway as existing infrastructure suitable for this proposed development.

# EXHIBIT "B" ZONING EXHIBIT

A PARCEL OF LAND IN THE NW 1/4 OF SECTION 22,  
TOWNSHIP 20 SOUTH, RANGE 65 WEST, OF THE 6TH P.M. IN THE  
COUNTY OF PUEBLO, STATE OF COLORADO

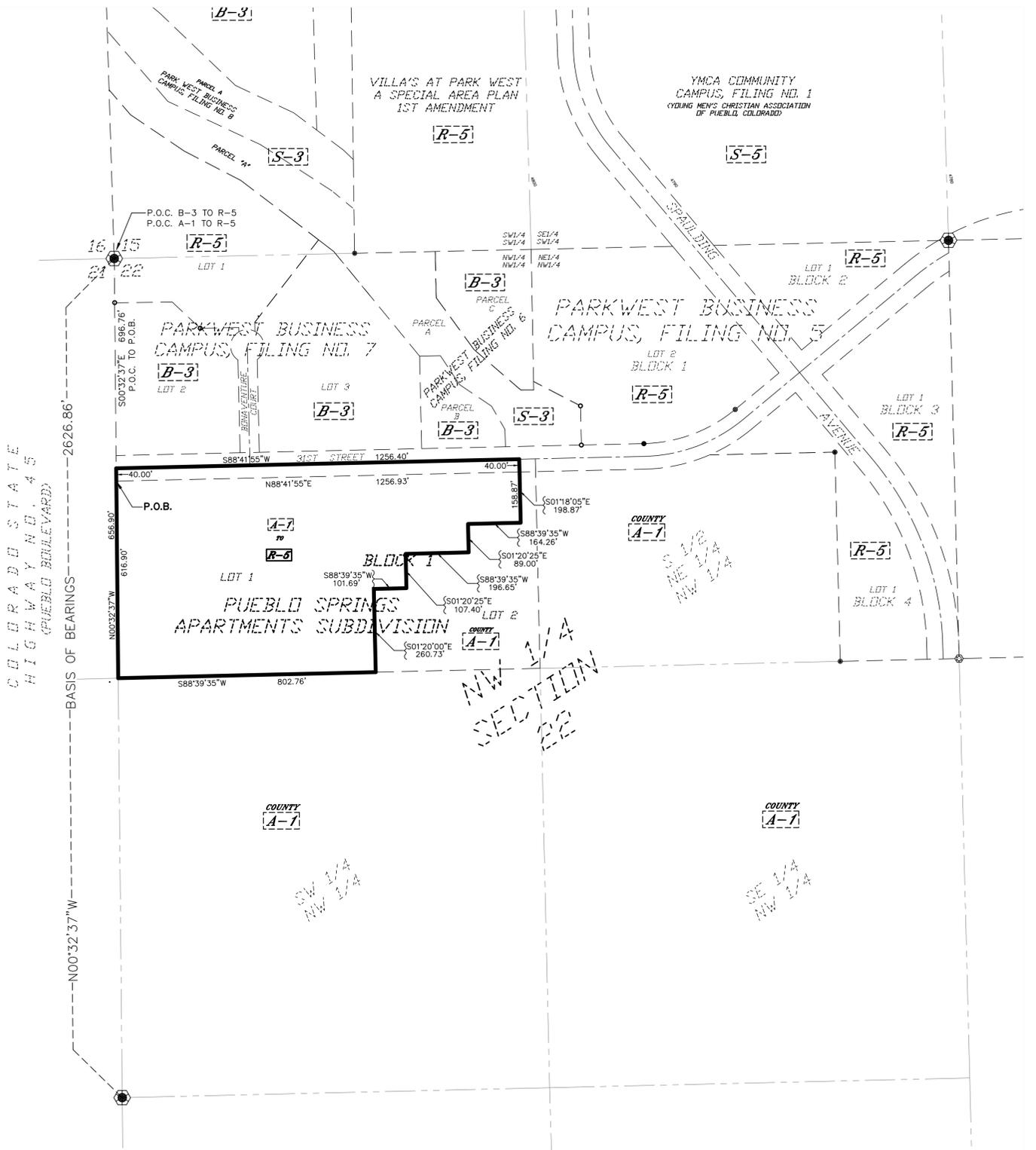


## LEGEND

- FOUND NO. 6 REBAR WITH 3 1/4" DIAMETER BRASS CAP, DEPARTMENT OF INTERIOR-BLM (APPROPRIATELY STAMPED)
- FOUND NO. 6 REBAR WITH 3 1/4" DIAMETER ALUMINUM CAP, (P.L.S. NO. 12933) (APPROPRIATELY STAMPED)
- FOUND NO. 4 REBAR WITH ORANGE PLASTIC CAP, (P.L.S. NO. 25869)
- FOUND NO. 4 REBAR WITH YELLOW PLASTIC CAP, (P.L.S. NO. 12933)
- P.O.B.** POINT OF BEGINNING
- P.O.C.** POINT OF COMMENCEMENT
- PROPOSED ZONING BOUNDARY
- EXISTING ZONING
- PROPOSED ZONING

## BASIS OF BEARINGS:

THE WEST LINE OF NW 1/4 OF SECTION 22, T. 20 S., R. 65 W, OF THE 6TH P.M. TO BEAR N. 00°32'37" W.



## LAND DESCRIPTION

REZONE A-1 TO R-5

A portion of the South one-half of the Northwest one-quarter of the Northwest one-quarter of Section 22, Township 20 South, Range 65 West of the 6th P.M. and a portion of the South one-half of 31st Street as platted in Park West Business Campus, Filing No. 5, according to the recorded plat thereof, as filed for record on May 8, 2008 at Reception No. 1768305 in the County of Pueblo, State of Colorado, being more particularly described as follows:

**Basis of Bearings:** The West Line of the Northwest one-quarter of Section 22, Township. 20 South, Range 65 West, of the 6th Principal Meridian monumented with a number 6 rebar with a 3 1/4 inch diameter Brass Cap, to bear N. 00°32'37" W. and all bearings being relative thereto.

Commencing at Northwest corner of said Section 22, said point being on the west line of Park West Business Campus, Filing No. 7, according to the recorded plat thereof, as filed for record on March 16, 2012 at Reception No. 1901886 in the Pueblo County records and being on the east line of Colorado State Highway No. 45 as presently located; thence S. 00°32'37" E. along said the west line of said Section 22, the west line of said Park West Business Campus, Filing No. 7 and the east line of said Colorado State Highway No. 45, a distance of 696.76 feet to the south right-of-way line of 31st Street and the Point of Beginning; thence N. 00°32'37" W. along the said west line of Park West Business Campus, Filing No. 7, a distance of 40.00 feet to the center of 31st Street right-of-way; thence N. 88°41'55" E. along the said centerline of the right-of-way of 31st Street, a distance of 1,256.40 feet; thence S. 01°18'05" E., a distance of 198.87 feet; thence S. 88°39'35" W., a distance of 164.26 feet; thence S. 01°20'25" E., a distance of 89.00 feet; thence S. 88°39'35" W., a distance of 196.65 feet; thence S. 01°20'25" E., a distance of 107.40 feet; thence S. 88°39'35" W., a distance of 101.69 feet; thence S. 01°20'00" E., a distance of 260.73 feet to the south line of the South one-half of the Northwest one-quarter of the Northwest one-quarter of said Section 22; thence S. 88°39'35" W. along the south line of said South one-half, a distance of 802.76 feet to the Southwest corner of said South one-half and the east line of Colorado State Highway No. 45 as presently located; thence N. 00°32'37" W. along the west line of said South one-half and said east line of Colorado State Highway No. 45, a distance of 616.90 feet to the south right-of-way line of 31st Street and the Point of Beginning.

Containing 15.01 acres, more or less.



VICINITY MAP  
NOT TO SCALE

PREPARED

BY: NORTHSTAR ENGINEERING AND SURVEYING, INC.



November 22, 2021

This is to inform you that the City Planning and Zoning Commission will hold a public hearing on a request by **Emery Chuckly, Pueblo Springs Apartments, LLC** for the approval of the following application(s):

**S-21-09 Pueblo Springs Apartments Subdivision:** the subdivision of approximately eighteen (18.55) acres into two lots generally located southeast of the intersection of W. Pueblo Blvd and 31<sup>st</sup> Avenue.

**Z-21-18: Pueblo Springs Apartments Rezoning** approximately eighteen (18.55) acres generally located southeast of the intersection of W. Pueblo Blvd and 31<sup>st</sup> Avenue currently zoned A-1 being rezoned to R-5 (Multiple Residential and Office District).

**The Planning and Zoning Commission meeting will be held on December 8, 2021, at 3:30 p.m., by Zoom: Meeting ID:927 1786 7722, Passcode: 195462, Telephone: 1 346 248 7799 US (Houston) or in-person at 1 City Hall Pl (3<sup>rd</sup> Floor City Council Chambers).**

You are welcome to attend this public hearing and express your viewpoint concerning this proposal. To review the plans and staff report for the proposed application, please visit [www.pueblo.us/PandZ](http://www.pueblo.us/PandZ) and click on “Most Recent Agenda” no sooner than the Friday prior to the hearing. **Please contact the planner listed below if you have questions.**

Scott Hobson, Director  
Planning & Community Development  
**Wade Broadhead**, Planner  
(719) 553-2280

November 22, 2021

This is to inform you that the City Planning and Zoning Commission will hold a public hearing on a request by **Emery Chuckly, Pueblo Springs Apartments, LLC** for the approval of the following application(s):

**S-21-09 Pueblo Springs Apartments Subdivision:** the subdivision of approximately eighteen (18.55) acres into two lots generally located southeast of the intersection of W. Pueblo Blvd and 31<sup>st</sup> Avenue.

**Z-21-18: Pueblo Springs Apartments Rezoning** approximately eighteen (18.55) acres generally located southeast of the intersection of W. Pueblo Blvd and 31<sup>st</sup> Avenue currently zoned A-1 being rezoned to R-5 (Multiple Residential and Office District).

**The Planning and Zoning Commission meeting will be held on December 8, 2021, at 3:30 p.m., by Zoom: Meeting ID:927 1786 7722, Passcode: 195462, Telephone: 1 346 248 7799 US (Houston) or in-person at 1 City Hall Pl (3<sup>rd</sup> Floor City Council Chambers).**

You are welcome to attend this public hearing and express your viewpoint concerning this proposal. To review the plans and staff report for the proposed application, please visit [www.pueblo.us/PandZ](http://www.pueblo.us/PandZ) and click on “Most Recent Agenda” no sooner than the Friday prior to the hearing. **Please contact the planner listed below if you have questions.**

Scott Hobson, Director  
Planning & Community Development  
**Wade Broadhead**, Planner  
(719) 553-2280

November 22, 2021

This is to inform you that the City Planning and Zoning Commission will hold a public hearing on a request by **Emery Chuckly, Pueblo Springs Apartments, LLC** for the approval of the following application(s):

**S-21-09 Pueblo Springs Apartments Subdivision:** the subdivision of approximately eighteen (18.55) acres into two lots generally located southeast of the intersection of W. Pueblo Blvd and 31<sup>st</sup> Avenue.

**Z-21-18: Pueblo Springs Apartments Rezoning** approximately eighteen (18.55) acres generally located southeast of the intersection of W. Pueblo Blvd and 31<sup>st</sup> Avenue currently zoned A-1 being rezoned to R-5 (Multiple Residential and Office District).

**The Planning and Zoning Commission meeting will be held on December 8, 2021, at 3:30 p.m., by Zoom: Meeting ID:927 1786 7722, Passcode: 195462, Telephone: 1 346 248 7799 US (Houston) or in-person at 1 City Hall Pl (3<sup>rd</sup> Floor City Council Chambers).**

You are welcome to attend this public hearing and express your viewpoint concerning this proposal. To review the plans and staff report for the proposed application, please visit [www.pueblo.us/PandZ](http://www.pueblo.us/PandZ) and click on “Most Recent Agenda” no sooner than the Friday prior to the hearing. **Please contact the planner listed below if you have questions.**

Scott Hobson, Director  
Planning & Community Development  
**Wade Broadhead**, Planner  
(719) 553-2280

November 22, 2021

This is to inform you that the City Planning and Zoning Commission will hold a public hearing on a request by **Emery Chuckly, Pueblo Springs Apartments, LLC** for the approval of the following application(s):

**S-21-09 Pueblo Springs Apartments Subdivision:** the subdivision of approximately eighteen (18.55) acres into two lots generally located southeast of the intersection of W. Pueblo Blvd and 31<sup>st</sup> Avenue.

**Z-21-18: Pueblo Springs Apartments Rezoning** approximately eighteen (18.55) acres generally located southeast of the intersection of W. Pueblo Blvd and 31<sup>st</sup> Avenue currently zoned A-1 being rezoned to R-5 (Multiple Residential and Office District).

**The Planning and Zoning Commission meeting will be held on December 8, 2021, at 3:30 p.m., by Zoom: Meeting ID:927 1786 7722, Passcode: 195462, Telephone: 1 346 248 7799 US (Houston) or in-person at 1 City Hall Pl (3<sup>rd</sup> Floor City Council Chambers).**

You are welcome to attend this public hearing and express your viewpoint concerning this proposal. To review the plans and staff report for the proposed application, please visit [www.pueblo.us/PandZ](http://www.pueblo.us/PandZ) and click on “Most Recent Agenda” no sooner than the Friday prior to the hearing. **Please contact the planner listed below if you have questions.**

Scott Hobson, Director  
Planning & Community Development  
**Wade Broadhead**, Planner  
(719) 553-2280

CASE NUMBER Z-21-18

CERTIFICATION

I hereby certify that I did this day cause written notice of the public hearing on the proposed Zoning Map Amendment of the property located at Pueblo Springs Apartments to be sent to the attached list of owners of the real property lying within three hundred (300) feet of the said property on which the Zoning Map Amendment is proposed by depositing the same properly addressed and postage paid in the post office, as set forth in the Code of Ordinances, Section 17-6-2.

11-23-21  
\_\_\_\_\_  
(Date)

PUEBLO PLANNING & ZONING COMMISSION

By KAREN ELGIN

I hereby certify that I did this day verify and photograph the posted notice of the public hearing on the Zoning Map Amendment of the property located at Pueblo Springs Apartments, upon which action is pending as set forth in the Code of Ordinances, Section 17-6-2.

\_\_\_\_\_  
(Date)

PUEBLO PLANNING & ZONING COMMISSION

By KAREN ELGIN

<b>Owner</b>	<b>OwnerStree</b>	<b>OwnerCity</b>	<b>Own</b>	<b>OwnerZip</b>
C H H LLC + QWANZO LLC + C/O THOM/	102 N CASCADE AVE ST	COLORADO SPRIN	CO	80903-1409
VILLAS AT PARK WEST I LP + VILLAS AT P	1603 LBJ FWY STE 800	DALLAS	TX	75234-6061
HAYES ELAINE R TR + RUBERSON BR +	4016 RIDGE DR	PUEBLO	CO	81008-1720
PUEBLO SPRINGS APARTMENTS, LLC + C	5671 N ORACLE RD STE	TUCSON	AZ	85704-3855