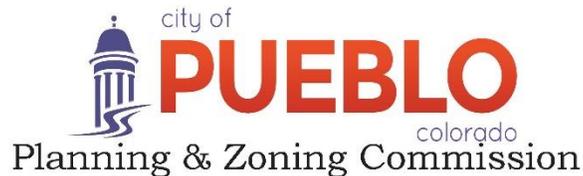


Mike Castellucci
Chair

Patrick Avalos
Vice Chair

Sarah Martinez
City Council Representative



Christopher Pasternak

Alexandra Aznar

Elizabeth Bailey

Cheryl Spinuzzi

MINUTES OF REGULAR MEETING

City of Pueblo, Colorado

Wednesday, March 9, 2022 – 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 3:38 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, Sarah Martinez, 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, Senior Planner; Danielle Baxter, Planner; John Sakariason, Stormwater Coordinator; and Joe Martellaro, Associate Engineer II.

APPROVAL OF AGENDA

A Motion was made by Bailey to approve the agenda with changes to move V-21-03 & S-21-10 to April 13, 2022, hearing and move Z-21-16, V-21-04, and S-21-12 to March 23, 2022, hearing. Seconded by Aznar.

Motion passed 7-0.

1. **V-21-05: Street Vacation:** Vacate portions of the following unimproved public rights-of-way:

- S. Bradford Street and adjacent alley to the west, both public rights-of-way are located south of City Center Drive and east of Interstate-25
- E. River St, located west of S. Bradford Street and east of Interstate-25,
- The present Kelly Avenue (Freeway Change Agreement, 10-30-1957) south of City Center Drive and east of Interstate-25.

Staff report by Danielle Baxter.

Staff review and findings:

There are four areas of platted right of way being vacated in this request. The first street the applicant is requesting to be vacated is platted S. Bradford Street located east of I-25 and south of City Center Dr. The area of S. Bradford St is approximately 332 feet long and 80 feet wide, located in Kramer's Subdivision. The second street requesting to be vacated is platted Kelly Ave. Kelly Ave is noted in the freeway change agreement, 10-30-1957. The platted avenue is divided into two parts by platted E. River St, which is also being vacated. The south half of Kelly Ave is approximately 32 feet wide and 509 feet long. The north half of Kelly Ave is approximately 32 feet wide and 123 feet long. Separating Kelly Ave is the platted roadway of River St. River St. was platted to connect Hector Garcia Place (which was previously River St) and E. River Street, before I-25 was constructed. River St is located within the Baxter's, Amin Santa Fe, and Kramer's Subdivisions and is approximately 81 feet wide and 537 feet long. Finally, the last platted access being vacated is an alley located between the Kramer's and Baxter's Subdivisions. The platted alley is approximately 16 feet wide and 356 feet long.

The purpose of this expansive vacation request is to clear up previously platted roadways which are now part of the Colorado Department of Transportation right of way. All the above-mentioned roads and alleys were only platted and were never developed. CDOT is requesting the vacation to eliminate platted roads within their current right of way, adjacent to Interstate-25. Because this vacation is being requested after the development of the I-25 interchange there is no utility work planned in the area, no future roadways, and existing fencing will not be removed.

According to CDOT, the interstate was originally constructed over these platted roadways. When the Ilex and City Center interchanges to I-25 were realigned CDOT agreed to complete this vacation process to eliminate these platted roads that are now currently within CDOT's right of way. All utilities have already been relocated and any remaining utilities within the CDOT right of way are permitted.

Applicable Regulations:

Sec. 12-5-1 through 6 of the Pueblo Municipal Code (PMC) concerning vacations of streets, alleys, etc.

Recommended Action:

Staff recommends that the Vacation be APPROVED.

HEARING: Amber Billings (5615 Wills Blvd), CDOT, was sworn in via Zoom to speak on behalf of the application.

No one spoke in support of application.

Fred Barros (20004 Aspen Rose Dr, Weston, CO) was sworn in and spoke in opposition of the proposed vacation. Mr. Barros owns the property at 302 City Center Dr, which borders Bradford, and stated he was not aware of the vacation and wanted clarification from CDOT for the right of way. Mr. Barros is concerned if he is responsible for this new vacated property and continued utility access in the vacated roadways. No one else spoke in opposition to the application. Ms. Billings stated the project began in 2011 at the Ilex interchange and the City Center intersection was completed in 2018. Ms. Billings was working with the previous property owner at 302 City Center Dr around that time and the current fencing already shows the new property line for the adjacent property owner. The utilities within the proposed right of way are there via permits with the city and will not be moved. Ms. Odom confirmed that the vacated portion of the platted roadway is divided in half between property owners and suggested Mr. Barros contact Ms. Billings directly to work out the details.

MOTION: Motion to recommend approval of V-21-05 to City Council was made by Bailey, second by Aznar.

MOTION PASSED 7-0



DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

TO: Beritt Odom, Principal Planner

CC: Michelle Cruz, Administrative Technician
Subdivision File

FROM: Joe Martellaro, Associate Engineer II

SUBJECT: V-21-05 Bradford Street Vacation

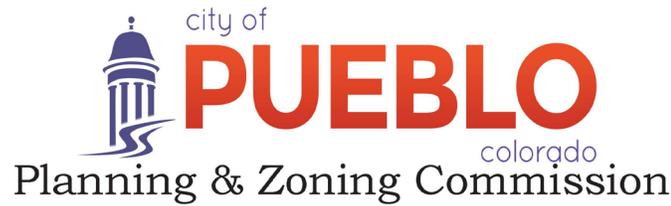
DATE: April 6, 2022

Please place the above referenced submittals on the City Council Agenda.

Mike Castellucci
Chair

Patrick Avalos
Vice Chair

Sarah Martinez
City Council Representative



Christopher Pasternak

Alexandra Aznar

Elizabeth Bailey

Cheryl Spinuzzi

V-21-05

TO: City of Pueblo, Planning and Zoning Commission

FROM: Danielle Baxter, Planner

THROUGH: Scott Hobson, Acting Planning and Community Development Director

DATE: March 9, 2022

SUBJECT: Vacate portions of platted S. Bradford St, adjacent platted River St, adjacent platted alley, and adjacent platted Kelly Ave.

APPLICANT: Christina Thiebaut, CDOT

OWNER: Colorado Department of Transportation

LOCATION: Generally located south of E. City Center Dr.

CONCURRENT REQUESTS: None

Request:

Vacate portions of the following unimproved public rights-of-way:

- S. Bradford Street and adjacent alley to the west, both public rights-of-way are located south of City Center Drive and east of Interstate-25
- E. River St, located west of S. Bradford Street and east of Interstate-25,
- The present Kelly Avenue (Freeway Change Agreement, 10-30-1957) south of City Center Drive and east of Interstate-25.

Staff review and findings:

There are four areas of platted right of way being vacated in this request. The first street the applicant is requesting to be vacated is platted S. Bradford Street located east of I-25 and south of City Center Dr. The area of S. Bradford St is approximately 332 feet long and 80 feet wide, located in Kramer's Subdivision. The second street requesting to be vacated is platted Kelly Ave. Kelly Ave is noted in the freeway change agreement, 10-30-1957. The platted avenue is divided into two parts by platted E. River St, which is also being vacated. The south half of Kelly Ave is approximately 32 feet wide and 509 feet long. The north half of Kelly Ave is approximately 32 feet wide and 123 feet long. Separating Kelly Ave is the platted roadway of River St. River St. was platted to connect Hector Garcia Place (which was previously River St) and E. River Street, before I-25 was constructed. River St is located within the Baxter's, Amin Santa Fe, and Kramer's Subdivisions and is approximately 81 feet wide and 537 feet long. Finally, the last platted access being vacated is an alley located between the Kramer's and Baxter's Subdivisions. The platted alley is approximately 16 feet wide and 356 feet long.

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Applicable Regulations:

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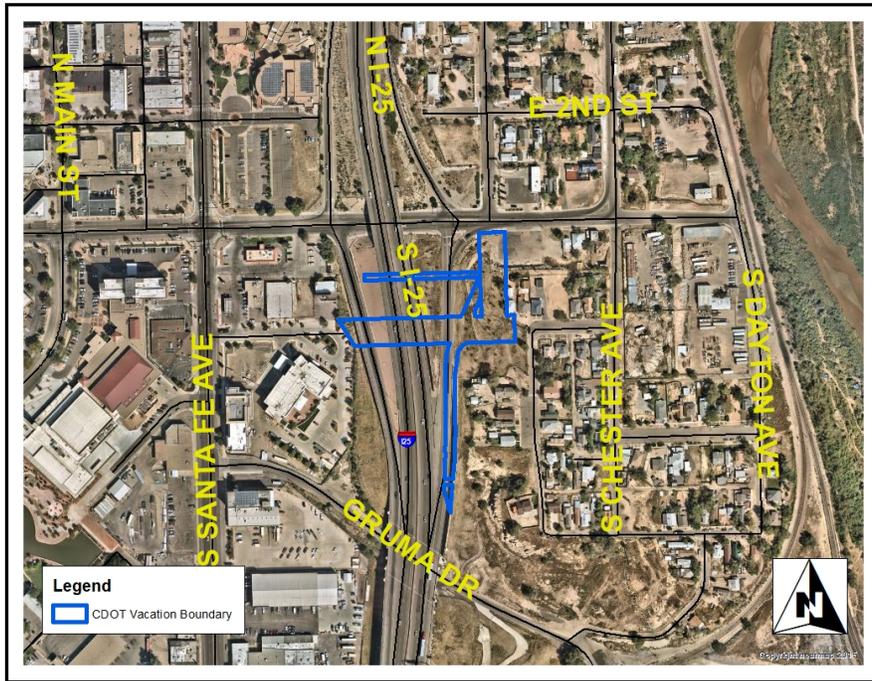
Recommended Action:

Staff recommends that the Vacation be APPROVED.

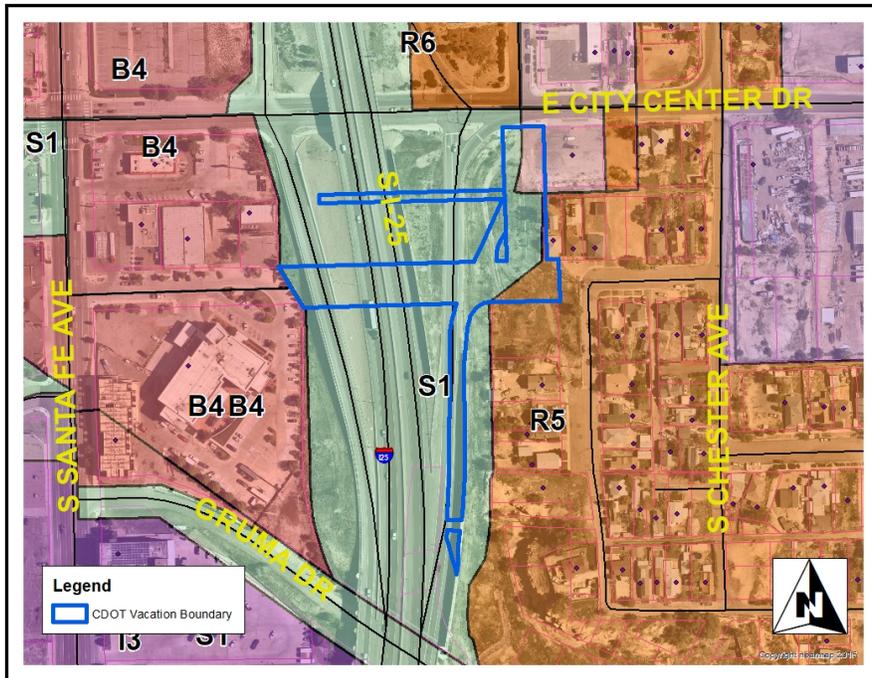
ATTACHMENTS:

- A. Aerial Map
- B. Zoning Map
- C. Site Photographs
- D. Vacation Plat
- E. Vacation Application

ATTACHMENTS:



A. Aerial Photograph



B. Zoning Map

Attachment C. Site Photos

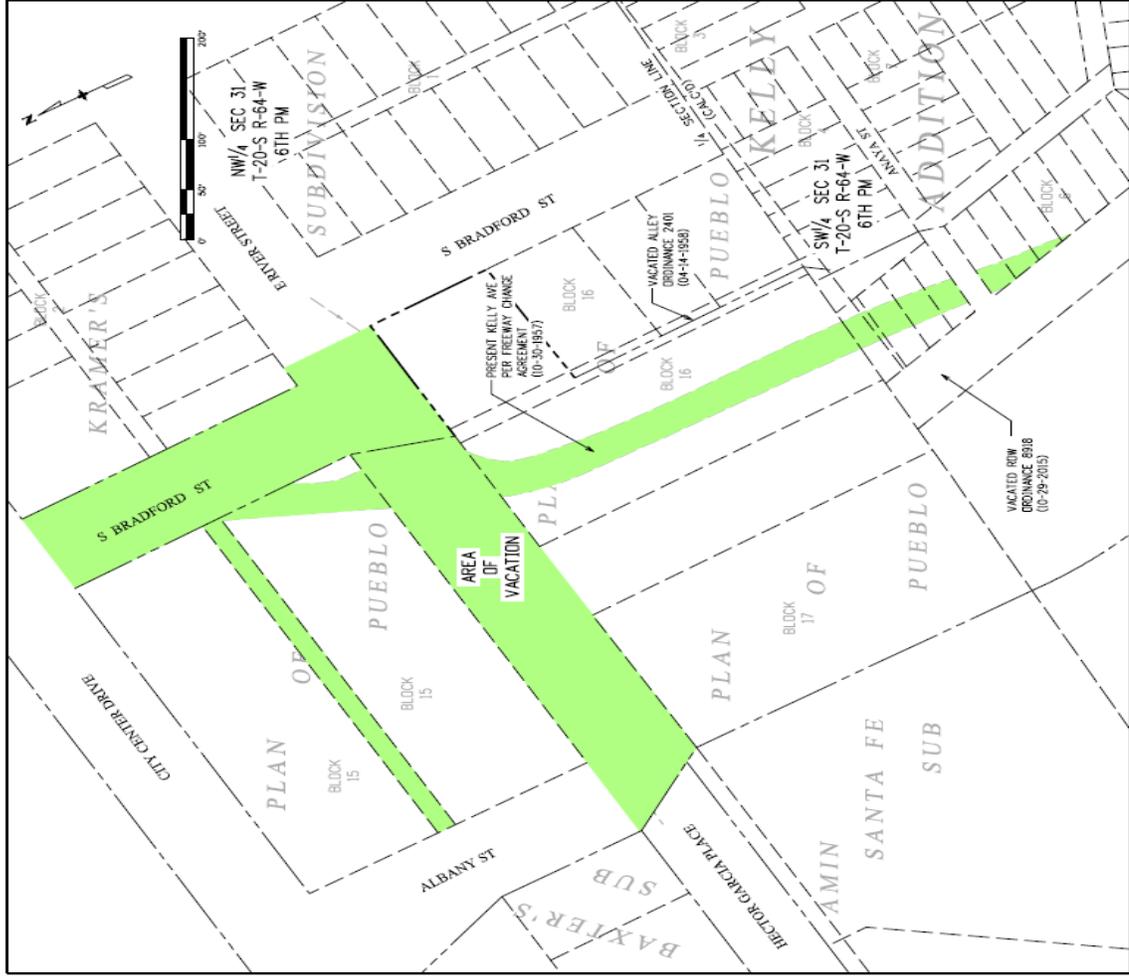






Public Notice Poster

Attachment D: Vacation Plat

 <p>Colorado Department of Transportation Region 2</p>	<p>P.O. Box 536 905 Erie Avenue Pueblo, CO 81002 Phone: 719-546-5717 FAX: 719-546-5414 DRP</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>DATE</th> <th>DESCRIPTION</th> <th>BY</th> <th>REVISION</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>	DATE	DESCRIPTION	BY	REVISION																					<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">  <p>Farnsworth GROUP 4755 FORGE ROAD, SUITE 150 COLORADO SPRINGS, COLORADO 80907 (719) 594-9194 / (719) 594-9111 Fax www.fwg.com</p> </td> <td style="width: 50%; text-align: center;"> <p>Right of Way Plans Street and Alley Vacation Exhibit Project Number: FBR 0254-019 Project Location: I-25 - ILEX DESIGN BULD Project Code: Last Mod Date: Subject: Sheet No.</p> </td> </tr> </table>	 <p>Farnsworth GROUP 4755 FORGE ROAD, SUITE 150 COLORADO SPRINGS, COLORADO 80907 (719) 594-9194 / (719) 594-9111 Fax www.fwg.com</p>	<p>Right of Way Plans Street and Alley Vacation Exhibit Project Number: FBR 0254-019 Project Location: I-25 - ILEX DESIGN BULD Project Code: Last Mod Date: Subject: Sheet No.</p>
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<h2 style="margin: 0;">STREET VACATION</h2> <p style="margin: 0;">CERTAIN STREETS TO BE VACATED WITHIN BLOCKS 15, 16 AND 17, PLAN OF PUEBLO, MADE FOR THE PROBATE JUDGE OF PUEBLO COUNTY, DATED 1869 AND BLOCKS 4 AND 6, KELLY ADDITION LOCATED IN SECTION 31, T-20-S R-64-W, 6TH PM PUEBLO COUNTY, CO</p> <p style="margin: 0;">DESCRIPTION:</p> <p style="margin: 0;">ALL OF PLATTED RIVER STREET ADJACENT TO BLOCKS 15, 16 AND 17, PLAN OF PUEBLO, MADE FOR THE PROBATE JUDGE OF PUEBLO COUNTY, DATED 1869.</p> <p style="margin: 0;">AND</p> <p style="margin: 0;">ALL OF PLATTED BRADFORD STREET ADJACENT TO BLOCKS 15 AND 6, PLAN OF PUEBLO, MADE FOR THE PROBATE JUDGE OF PUEBLO COUNTY, DATED 1859.</p> <p style="margin: 0;">AND</p> <p style="margin: 0;">ALL OF THE PLATTED ALLEY, BLOCK 15, PLAN OF PUEBLO, MADE FOR THE PROBATE JUDGE OF PUEBLO COUNTY, DATED 1859.</p> <p style="margin: 0;">AND</p> <p style="margin: 0;">ALL OF UNVACATED PRESENT KELLY AVENUE LOCATED IN THE W/2 OF SECTION 31, T-20-S R-64-W, 6TH PM.</p> <p style="margin: 0;">RESERVATIONS: ALL OF VACATED RIVER STREET, BRADFORD STREET, KELLY AVENUE AND ALLEY IS RESERVED FOR USE BY UTILITIES PRESENTLY EXISTING IN SAID VACATED AREA. RESERVATIONS WILL TERMINATE UPON REMOVAL OF ALL EXISTING FACILITIES.</p> <p style="margin: 0;">TO THE CITY OF PUEBLO AND UTILITY OWNERS THE RIGHT AT ALL TIMES TO REPAIR, OPERATE OR REPLACE EXISTING UTILITIES AND SEWER AND WATER LINES, AND MAINS TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS TO ACCOMPLISH SAME. SUCH RESERVATION SHALL TERMINATE UPON RECORDING IN THE PUEBLO COUNTY CLERK AND RECORDER'S OFFICE A VERIFIED STATEMENT OF THE DIRECTOR OF PUBLIC WORKS OF THE CITY OF PUEBLO CERTIFYING THAT ALL UTILITIES AND SEWER AND WATER LINES AND MAINS EXISTING IN SAID VACATED STREETS AND ALLEY HAVE BEEN REMOVED OR ABANDONED.</p> <p style="margin: 0;">PURPOSE: CONSTRUCTION AND MAINTENANCE OF ROADWAY IMPROVEMENTS.</p> <p style="margin: 0;">PREPARED FOR AND ON BEHALF OF THE COLORADO DEPARTMENT OF TRANSPORTATION JEFFREY P. EICKELMAN, PLS #29034 FARNSWORTH GROUP, INC. 5613 DTC PARKWAY - SUITE 1100 GREENWOOD VILLAGE, CO 80111</p>																													
																													

Attachment E: Vacation Applications



Planning & Community Development

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

Planning & Zoning Application

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

Name:		Name:	
Company: CDOT		Company: CDOT	
Address: 5615 Mills Blvd, Pueblo, Colorado		Address: 5615 Mills Blvd, Pueblo, CO	
Zip: 81008		Zip: 81008	
Phone: (719) 546-5412		Phone: (719) 546-5412	
Email: Christina.Thiebaut@state.co.us		Email: Christina.Thiebaut@state.co.us	
Name: Jennifer Sparks		Name: Jeffrey Eickelman	
Company: CDOT		Company: Farnsworth Group	
Address: 5615 Mills Blvd, Pueblo, Colorado		Address: 5775 Mark Dabbling Blvd #190, Pueblo, Colorado	
Zip: 81008		Zip: 80919	
Phone: (719) 546-5153		Phone: (719) 570-994	
Email: jennifer.sparks@state.co.us		Email: jeickelman@fw.com	
<i>The applicant will be the primary contact unless otherwise noted.</i>			
Project Location: (address or general description) Bradford St. South of City Center Dr.			
Parcel No(s): N/A			
Existing Zone: N/A		Proposed Zone (if applicable):	
PUD Name (if applicable):			
Project Name: Bradford Street Vacation			
<input type="checkbox"/> Rearrangement of Property Boundaries: # of existing lots: _____ Total acres: _____			
<input type="checkbox"/> Overall Development Plan			
<input type="checkbox"/> Site Plan Review: Building area: _____ sf <input type="radio"/> HARP <input type="radio"/> Development Plan <input type="radio"/> PUD <input type="radio"/> Student Housing			
<input type="checkbox"/> Special Area Plan			
<input type="checkbox"/> Street Name Change: Existing Name: _____ Proposed Name: _____			
<input type="checkbox"/> Subdivision: # of lots: _____ Total acres: _____			
<input type="checkbox"/> Text Amendment			
<input checked="" type="checkbox"/> Vacation: <input checked="" type="radio"/> Street <input type="radio"/> Alley <input type="radio"/> Easement <input type="radio"/> Other: _____			
<input type="checkbox"/> Other: _____			

(Continue Next Page)

(Continued from previous page)

Provide a brief description of the proposed request:
 Street Vacation of S. Bradford St., adjacent
 platted River St., adjacent platted alley, and
 adjacent Kelly Ave.

What is the total acreage included in the project?

What is the proposed use of the property?

Commercial Multi-family Residential Industrial Other

Are there any other pending or recently approved
 Land Use applications regarding this property? Yes No

If yes, please list:

The following list of attachments are required to accompany all applications:

- A. CD with DWF and DWG (Autocad) file of all plans and drawings & a PDF of all documents submitted.
- B. Pueblo County Assessor's Property Information print out (www.co.pueblo.co.us)
- C. Additional information as required by the **P&Z Submittal Requirements Sheet**.

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.
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.
5. It is highly recommended that a licensed surveyor complete a property survey before any construction takes place. The property owner is responsible for any construction that takes place within the boundaries of their property. The city may require any construction built outside of the property legal boundaries or within any setbacks (by intent or error), to be removed at the owners' expense.

Print Name: Colorado Department of Transportation

Signature: *[Handwritten Signature]* Date: 12/13/2021

Print Name: _____

Signature: _____ Date: _____

Application checked for completeness by:	Date:	Fee Paid:

February 18, 2022

This is to inform you that the City Planning and Zoning Commission will hold a public hearing on a request by **Christina Thiebaut** for the approval of the following application(s):

V-21-05 South Bradford Street Vacation (South of E City Center Drive) Vacate platted S. Bradford St, adjacent platted River St, adjacent platted alley, and adjacent platted Kelly Ave.

The Planning and Zoning Commission meeting will be held on March 9, 2022, 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 (3rd 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 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
Danielle Baxter, Planner
(719) 553-2241

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Scott Hobson, Director
Planning & Community Development
Danielle Baxter, Planner
(719) 553-2241

CASE NUMBER V-21-05

CERTIFICATION

I hereby certify that I did this day cause written notice of the public hearing on the Street Vacation: S. Bradford Avenue south of E. City Center Drive to be sent to the attached list of owners of the property lying within hundred (300) feet of the said property on which the vacation 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.

2-18-22

(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 S. Bradford Avenue south of E. City Center Drive, upon which action is pending as set forth in the Code of Ordinances, Section 17-6-2.

2-18-22

(Date)

PUEBLO PLANNING & ZONING COMMISSION

By KAREN ELGIN

Owner	OwnerStree	OwnerCity	Own	OwnerZip
RAIGOZA FERNANDO P	109 N CHESTER AVE	PUEBLO	CO	81003-3331
COLORADO CITY HOLDINGS LLC	11307 BELL CROSS CIR	PARKER	CO	80138-8766
GUEST SERVICE CORPORATION	115 E 8TH ST	PUEBLO	CO	81003-4101
GIANNETTO PHILLIP SAMUEL + GIANNETT	1232 LONGWOOD AVE	PUEBLO	CO	81004-1043
AMERICAN G I FORUM INC	125 HECTOR GARCIA PL	PUEBLO	CO	81003-4211
URENDA PETE + AKA URENDA ALBERT PE	15854 E 10TH PL	AURORA	CO	80011-7307
DIONESE TONY/DIONESE JOHN/GEONETT	1620 BUNKER HILL RD	PUEBLO	CO	81001-2008
HIGHLINE RENTALS INC	1660 CHAMBERS RD	AURORA	CO	80011-4624
KEN MCFARLAND PROPERTIES INC	175 S BRYANT ST	DENVER	CO	80219-2144
QUINTANILLA PENNA LUIS MIGUEL	1890 SE 47TH AVE	DENVER	CO	80249
BAROS FRED	20004 ASPEN ROSE DR	WESTON	CO	81091-7709
PUEBLO COUNTY C/O BUDGET OFFICE	215 W 10TH ST STE 217	PUEBLO	CO	81003-2935
MEDINA TERESA INEZ/MEDINA ROBERT/	216 S CHESTER AVE	PUEBLO	CO	81003-3347
BACINO KATHRYN EDNA + BACINO TONY	218 S BRADFORD AVE	PUEBLO	CO	81003-3328
MOSSBERGER TIMOTHY	218 S CHESTER AVE	PUEBLO	CO	81003-3334
CARLINO JESSICA LYNN	219 S BRADFORD AVE	PUEBLO	CO	81003-3327
LUEVANO SABAG DALAL	224 S BRADFORD AVE	PUEBLO	CO	81003-3328
GIANNETTO ANGIE	225 S BRADFORD AVE	PUEBLO	CO	81003-3327
BERNAL PATRICK A	2402 N GREENWOOD ST	PUEBLO	CO	81003-3648
HAYES MICHAEL J + GEONETTA ANGELA M	2705 COLUMBINE AVE	PUEBLO	CO	81004-3626
MERCADO MIGUEL	2834 LAKE AVE	PUEBLO	CO	81004-3831
C D B HOLDINGS #301 LLC	3005 DRAKESTONE DR	COLORADC	CO	80909-1356
GALLEGOS FRANK / MAEZ CINDY	302 E 2ND ST	PUEBLO	CO	81003-3305
MINI MART INC	302 W 3RD ST FL 3	CINCINNAT	OH	45202-3437
FARRAND PATRICK BRIAN	312 E 2ND ST	PUEBLO	CO	81003-3305
DI MARCO ROBERT J/DI MARCO MELISS	313 E RIVER ST	PUEBLO	CO	81003-3358
MATA PATRICIA COLLEEN	314 E 2ND ST	PUEBLO	CO	81003-3305
PHILIPPATOS CRITO	314 E RIVER ST	PUEBLO	CO	81003-3359
LOPEZ MARY ANN/LOPEZ PEDRO	315 S BRADFORD AVE	PUEBLO	CO	81003-3329
CATALANO ANTHONY LEE	316 E RIVER ST	PUEBLO	CO	81003-3359
MCDONALD ANA ELIZABETH	317 E RIVER ST	PUEBLO	CO	81003-3358
BLEAKNEY JUNE L	319 E BEECH ST	PUEBLO	CO	81003-3319
VIGIL RICHARD R	320 E 2ND ST	PUEBLO	CO	81003-3305
HED DONNA	329 E RIVER ST	PUEBLO	CO	81003-3358
GARCIA EMILIO ESQUIVEL	36170 E US HWY 50	PUEBLO	CO	81006-9411
BISHOP BRUCE L TR/BISHOP JENNIFER	368 S CAMINO DE LOS RANCHO	PUEBLO W	CO	81007-4048
MICELI GARY R/MICELI JENNY M	39 S GOLFVIEW DR	PUEBLO W	CO	81007-1809
COLORADO DEPARTMENT OF TRANSPORT	4201 E ARKANSAS AVE	DENVER	CO	80222-3406
AVKE INC	4308 ST ANDREWS DR	PUEBLO	CO	81001-1165
BLAZER LEASING LLC	435 ARGYLE AVE	PUEBLO	CO	81004-1012
MODLIN WALTER DANIEL/MODLIN DIANE	46 DRAKE ST	PUEBLO	CO	81005-1602
GATTO MARIANNA	5060 LOS FELIZ BLVD	LOS ANGEL	CA	90027-1741
LATINO JOSEPH A/LATINO FRANK C	54 DUNDEE LN	PUEBLO	CO	81001-1728
GEONETTA SAM A/GEONETTA SAMUEL J	604 N VERBENA DR	PUEBLO W	CO	81007-6221
BORUNDA HENRY	7 BONNYMEDE RD APT 1	PUEBLO	CO	81001-1558
CARLINO JESSICA LYNN	8000 E GIRARD AVE APT 701	DENVER	CO	80231-4407

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M E J 4 C PRPERTIES LLC + JORDAN DAF PO BOX 8477
E + W INVESTMENT LLC + C/O WALTER LIN PO BOX 849

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COLORADC CO 80901-0849