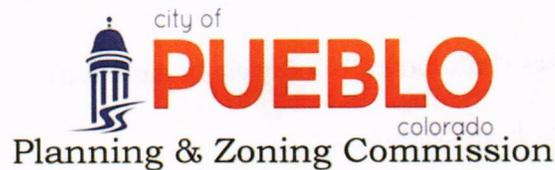


Mike Castellucci  
Chair  
Patrick Avalos  
Vice Chair  
Sarah Martinez  
City Council Representative



Christopher Pasternak  
Alexandra Aznar  
Elizabeth Bailey  
Cheryl Spinuzzi

V

**MINUTES OF PLANNING AND ZONING COMMISSION PUBLIC HEARING AND  
WORKSESSION**

City of Pueblo, Colorado  
Wednesday, March 23, 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 3:39 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, Christopher Pasternak, Sarah Martinez, and Lisa Bailey.

**Commissioners Absent:** Alexandra Aznar

**Staff Members Present:** Dan Kogovsek, City Attorney; Scott Hobson, Acting Director for Department of Planning and Community Development; Beritt Odom, Principal Planner; Danielle Baxter, Planner; Andrew Hayes, Public Works Director, Melanie Turner, Transportation Engineer.

**APPROVAL OF AGENDA**

A Motion was made by Spinuzzi to approve the agenda, Seconded by Bailey.

**Motion passed 6-0, Aznar Absent**

**PUBLIC MEETING AND ACTION**

**Regular Agenda**

## **1a. Z-21-16 Rezoning: Pikes Peak Park PUD Development Guide.**

Staff report Beritt Odom, Principal Planner

### **BACKGROUND:**

NeighborWorks of Southern Colorado purchased the Foothills Subdivision and is requesting to rezone, vacate rights-of-way/easements and re-subdivide to facilitate the development of a mixed-use neighborhood that offers a variety of housing options and commercial services to residents. According to NeighborWorks, the Pikes Peak Park community will offer “permanently affordable housing with access to childcare, healthcare services, food access services, small grocery/farmers market, restaurants, offices, and cultural facilities to support a walkable, ten-minute neighborhood.” Pikes Peak Park PUD, proposes to introduce small residential lots accessed by private drives that face green-spaces, intermixed with more traditional larger-lot residential development, multifamily development, and commercial nodes along W. 24<sup>th</sup> Street and Sun Mountain Blvd. The previous Foothills Subdivision (approved in 2000) was intended for development of manufactured homes and one commercial node west of what was previously Spaulding Ave and is now Sun Mountain Blvd.

Per the Planned Unit Development Zone District Regulations, a development guide has been submitted which contains information as required by Section 17-8-6, of the Pueblo Municipal Code.

According to the Pikes Peak Park PUD Development Guide, the proposed development will be a “social, economic, and environmentally Resilient Community.” The Development Guide goes on to state that a variety of complimentary uses “within walking and cycling distance from one another” “will decrease reliance on the automobile.” Therefore, the PUD contains provisions for single-family development on narrow and shallow lots creating a dense residential fabric with a maximum of 619 residential dwelling units and 446 Commercial Mixed-Use dwelling units. The maximum gross density is 12 dwelling units per acre and 20 commercial mixed-use units per acre.

### **Residential Development Standards:**

Pikes Peak Park proposes six types of residential development, multifamily, and accessory dwelling units:

1. Single-family attached;
2. Single-family detached, rear-loaded, shallow lot;
3. Single-family detached rear-loaded, deep lot;
4. Single-family detached front loaded;
5. Multifamily with three or more units; and
6. Accessory dwelling units

### **Single-Family Attached**

The smallest proposed lots, 20-foot width and a total area of 1,400 square feet, must be developed with attached single-family homes and be rear-loaded (garage or surface parking for the home will be provided adjacent to the rear lot line). Single-family attached homes allow a maximum lot coverage of 75-percent, minimum 15-foot front yard setbacks, minimum 10-foot side-yard setbacks adjacent to a public right-of-way; 5-foot side-yard setbacks when not adjacent

to a public right-of-way: and five-foot rear-yard setback. All single-family attached structures must provide one on-site parking space per dwelling unit.

#### Single-Family Detached Rear-Loaded Shallow and Deep Lots

Yard and bulk standards for single-family detached, rear-loaded shallow and deep lots are the same. Single-family detached structures on 35-foot-wide lots allow 60-percent lot coverage, require a minimum front-yard setback of 15-feet, five-foot side-yard setback; 10-foot side-yard setback, adjacent to a public right-of-way; and a 5-foot rear-yard setback. Single-family detached structures located on 35-foot-wide lots may face a “green-court” and are accessed by a 20-foot wide dead-end “alley,” adjacent to the rear lot line. All structures have a maximum height of two-stories. All detached single-family dwelling units must provide two on-site parking spaces, covered, or uncovered, per dwelling unit.

#### Single-Family Detached Front-Loaded

Lots with a minimum width of 45-feet are front-loaded from the street and allow for 50-percent lot coverage. Setbacks on 45-foot-wide lots include a minimum 15-foot front-yard setback, 5-foot side-yard setback, 10-foot side yard setback adjacent to a street; and a 15-foot rear-yard setback for the principal structure. All dwelling units must provide two on-site parking spaces, covered, or uncovered, per dwelling unit. All structures have a maximum height of two-stories.

#### Multifamily (three of more units)

Multifamily residential standards include a 20-foot front-yard setback, 20-foot side-yard setback for the principal structure, 10-foot side-yard setback for garages, and a 10-foot rear-yard setback. The maximum height for multifamily residential structures is three stories. Each multifamily residential structure, to include mixed-use structures must provide 1.25 on-site parking spaces per dwelling unit.

#### Accessory Dwelling Units

Accessory dwelling units, (ADU) are allowed “over separated parking garages located along private lanes or alleys,” and must be developed according to guidelines established by the PUD development guide. The guidelines state that the ADU cannot be sold separately from the principal structure, must be architecturally compatible with the principal structure, have a minimum living area of 400 square feet, meet a minimum ceiling height, and have a covered stair landing. Mobile homes, recreational vehicles/trailers, and sheds may not serve as an ADU. All ADU structures must have one on-site parking space per unit.

All residential development must follow development design guidelines established by the PUD that require, specific building materials, and front porches (on single-family developments). The PUD states that residential development will allow a mixture of housing designs and should follow best practices in architectural design and construction technology; however, specifics of design are not provided within the PUD.

#### **Fire Station/Schools:**

The proposed PUD includes provisions for the development of a fire station along the western boundary of the development. No new school sites are proposed for the development, the PUD states that the Chavez-Huerta Preparatory Academy is conveniently located within walking distance of Pikes Peak Park and “work with school district to allow for preferred enrollment status for Pikes Peak Park children.” It is unclear who is responsible for working with Chavez-Huerta and whether “preferred enrollment” is a possibility.

**Land Uses:**

The Pikes Peak Park lists land uses for the two designated planning areas, the Residential Planning Area, and the Commercial Mixed-Use Planning Area. The Residential Planning Area is located within the northern portion of the site, east and west of Sun Mountain Blvd. The Commercial Mixed-Use Planning Area is located adjacent to W. 24<sup>th</sup> Street, east and west of Sun Mountain Blvd.

Proposed land uses within the Residential Planning Area include permitted, conditional, and restricted uses. The PUD states that conditional uses must meet applicable conditions contained within the City Municipal Ordinances as determined by the Design Review Board and the Land Use Administrator. The PUD further states that the Design Review Board is required to send a letter of recommendation to the Land Use Administrator recommending approval.

Permitted uses within the Residential Planning Area generally include, single-family residential, paired housing (duplexes), co-housing, community center, parking lot solar array, triplex, fourplex, townhomes, childcare homes, and accessory dwelling units. The conditional uses include, bed and breakfast homes and inns, childcare center, food trucks, home based business, mobile food unit. Restricted uses include short-term, 3<sup>rd</sup> party rentals and uses not expressly permitted or allowed by conditional use permit.

Permitted uses within the Commercial Mixed-Use Planning Area generally include retail, service, office, multifamily residential and mixed-use (multifamily residential and commercial uses located within the same structure). Permitted and conditional uses within the Commercial Mixed-Use Planning Areas, follow the same approval process as those within the Residential Planning Area. Restricted uses include short-term, 3<sup>rd</sup> party rentals and uses not expressly permitted or allowed by conditional use permit.

**Development Design Guidelines:**

The PUD Development Guide includes general architectural requirements for multifamily and mixed-use structures, commercial, and single-family residential development.

Design Guidelines for Multifamily, mixed-use, and commercial design guidelines include the following provisions:

1. Site Design-regulations pertaining to the location of parking lots, screening of mechanical and service functions, and landscaping.
2. Building Character-regulations for projections and recesses, windows, entries, awnings, color, texture, materials, etc.
3. Relationship of Buildings to Street-regulations encouraging the entry of structures to be oriented to the street (with the exception of residential units that front a green-space).
4. Massing, Form/Scale-requirements for façade articulation.
5. Signage-multifamily and mixed use must follow the R-5 and R-6 sign regulations for non-commercial development. Signage for commercial development must follow the R-5 and R-6 non-residential sign standards.
6. Open Space-multifamily, mixed use, and commercial development must have common landscaped outdoor space that generally includes pedestrian connections, lighting, street furniture.

Design Guidelines for Single-Family Residential Development:

1. Architectural Design-provisions for quality architecture and a range of architectural styles while insuring attainable housing.
2. Porches and Front Doors-requirements for columns, railings, and other details; encouragement of wrap-around porches.
3. Front Loaded Lots (garages accessed from streets)-encouragement for garage doors to be stepped back and paved on-site parking.
4. Building Materials-regulations pertaining to allowable materials (stucco, natural stone, brick, wood, architectural fiber cement panels, architectural metal panels), where material changes may occur, and the prohibition of vinyl, EIFS and tilt up concrete panels.
5. Roof Design-allowance of sloping, gable, hip, pyramid hip, mansard, gambrel/butterfly, or flat; materials consisting of asphalt shingle, slate, tile, or metal.

**Landscaping:**

All landscaping will conform to the municipal code, Section 17-4-7, with the additional requirements related to plant size, coverage calculations and low water/maintenance plantings.

**Signs:**

Signs for multifamily residential and mixed-use development will follow the Pueblo Municipal Code regulations for residential and non-residential uses in the R-6, Multiple-residential and Commercial District. Signs for commercial development will follow the Pueblo Municipal Code regulations for commercial zone districts (B-1, B-2, B-3, B-4, B-P...). Signs for single family residential will follow the Pueblo Municipal Code regulations for residential signs.

**Park:**

The Pikes Peak Park PUD Development Guide states that a minimum of eight percent of the land area, in a residential subdivision, is dedicated for use as parks and recreational facilities according to section 12-4-7, (e), of the Pueblo Municipal Code. According to the PUD, park land will be dedicated to the Metro District and be developed and maintained by the Metro District. Section 12-4-7, (e), also allows the subdivider to make a cash payment in lieu of land dedication. According to the Municipal Code, the cash payment is made to the City.

**Street and Alley/Private Drive Standards:**

Pikes Peak Park PUD includes standards for three types of street development, Future Neighborhood Connector Street, Neighborhood Local Street, and Neighborhood Park Street.

1. Neighborhood Connector Street provides three to five additional feet in sidewalk width and greater emergency access than the City's standard Neighborhood Collector roadway classification.
2. Neighborhood Local Street provides two additional feet of roadway width and one additional foot in sidewalk width compared to the City's standard Neighborhood Local Street.
3. Neighborhood Park Street is similar to the Neighborhood Local Street and the City's standard Neighborhood Local Street with the exception that the sidewalk and landscape zone may be located on one side of the street opposite of a park.

Pikes Peak Park also allows for single-family attached and detached homes to be accessed from a public alley or private lane. Both the alley and private lane have a 20-foot width, the alley requires a 12-foot-wide paved surface, and the lane requires the full width to be paved. The Pikes Peak Park, Filing No. 1 Subdivision proposes multiple instances of residential structures being

accessed only from a private lane with a dead end and no provisions for vehicle turn arounds; therefore, the residential lots located at the end of a dead-end alley must provide a 20-foot setback to allow vehicles to turn around and exit the alley or lane without backing into traffic. The City of Pueblo Fire Department granted a variance to the vehicle turn-around requirements for Parcels E, G, and K of the Pikes Peak Park, Filing No. 1 Subdivision. Future residential development accessed by alleys or private lanes will have to provide a turnaround or request additional variances from the Fire Code.

**Refuse Collection:**

The Pikes Peak Park PUD Development guide states that the Pikes Peak Park Metro District will work directly with a private trash collection company to establish trash collection protocol for “Green court residential products with Private Lanes”. The PUD states further that solid waste collection points will be provided within the street right-of-way where dead end alleys or private lanes intersect with public streets. This will reduce congestion within the narrow private lanes and prevent trash trucks from backing into the right of way.

**Parking:**

Pikes Peak Park proposes reduced parking standards for multifamily residential, retail, restaurant/bar, professional/medical office, and community center uses. The reduction is intended to be no more than 50-percent of what the Municipal Code requires. However, the parking standard for Restaurant/Bar does not meet the 50-percent of municipal code standard. Staff recommends a condition of the PUD approval that the parking space requirement for restaurant/bar be increased by 1.5 spaces totaling 7.5 spaces per 1,000 gross square feet of seating area. The applicant justifies the parking reduction, by stating that the Pikes Peak Park Development is a mixed-use and mixed-income community that co-locates permanently affordable housing with access to services and goods within a “walkable, ten-minute neighborhood.” Parking requirements for single-family residential structures is higher than the municipal code because the PUD allows residences to have reduced front-yard setbacks and lot widths; therefore, each residence is limited in its capacity to park vehicles. All single-family residences must provide two off-street parking spaces as opposed to one.

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**FINDINGS OF FACT REQUIRED PER §17-8-11 OF THE PUEBLO MUNICIPAL CODE**

**Municipal Code specifies five (5) criteria to be evaluated in conjunction with a PUD application. The Planning and Zoning Commission, before recommending that any property be zoned to a PUD Zone District, shall make the findings concerning the following:**

- (1) The PUD and Development Guide are compatible with the surrounding neighborhood and the proposed uses are not incompatible to the uses to which the surrounding area is restricted.**

Staff Analysis of Finding #1

The proposed Pikes Peak Park PUD Development guide allows for high density residential and a comingling of commercial uses that serve the neighborhood. Adjacent residential development to the south consists of manufactured homes of an average density between 4-7 units per acre. Development further to the south along Westview Drive is approximately 5.4 units per acre. Development Commercial uses within the PUD are restricted to the areas north of W. 24<sup>th</sup> Street and on either side of the future Sun Mountain Blvd. A detailed listing of the

specific land uses, which are allowed by right and by conditional review, are found in the Development Guide.

- (2) **The PUD and Development Guide are in accord and in harmony with the Comprehensive Land Use Plan and are being done for the public good; that is, to serve one (1) or more goals of the Comprehensive Plan and enable legislation and thereby bear a relationship to the public health, safety, or general welfare.**

Staff Analysis of Finding #2

The proposed Pikes Peak Park includes a mixture of residential and commercial uses. Residential uses include single-family detached, single-family attached, multifamily residential and mixed use residential. The PUD allows a maximum of 1,065 dwelling units, with a total density of 13.48 units per acre, which is much higher than the maximum density of 7 units per acre as recommended by the Comprehensive Plan amended in 2014. The proposed Pueblo Regional Comprehensive Plan, 2022, also designates the subject site as Urban Neighborhood but allows for densities between 6-16 units per acre. Proposed commercial uses are located adjacent to W. 24<sup>th</sup> Street and Sun Mountain Blvd. West 24<sup>th</sup> Street is a Principal Arterial, and the future Sun Mountain Blvd is classified as a Minor Arterial, which conforms to the Comprehensive Plan.

**The proposed Pikes Peak Park PUD Development Guide is consistent with the provisions for neighborhood commercial servicing the surrounding residential neighborhood. The proposed density within the PUD is significantly higher than what is stated as an appropriate density within the current Comprehensive Plan, but the proposed density is within the range proposed in the 2022 Comprehensive Plan that has been recommended for approval by the Planning & Zoning Commission.**

- (3) **The PUD and Development Guide would encourage an appropriate use of land.**

Staff Analysis of Finding #3

According to the Pikes Peak Park PUD Development Guide the proposed development will provide a range of “affordable and attainable housing products.” The development will also include ample open space and trail corridors for residents to enjoy. The intent of the parks and trails is to provide a network of space that connect neighborhoods to the regional open space corridors and preserve view corridors. Finally, the southern portion of the development will allow for commercial development to service the residents of the community. All of the aforementioned uses are compatible with the Urban Residential Comprehensive Plan Designation.

- (4) **The PUD and Development Guide would not be so injurious to surrounding properties to the extent of depriving neighboring property owners of any reasonable use of their property.**

Staff Analysis of Finding #4

The proposed mixed-use neighborhood is not anticipated to deprive neighboring property owners of any reasonable use of their property.

- (5) **All land contained in the PUD District is within the City, proper notice was sent to surrounding property owners, and the required public hearing was held.**

Staff Analysis of Finding #5

All of the land area is within the City of Pueblo and proper notice has been sent by the Department of Land Use Administration to surrounding property owners and the public hearing is scheduled with the Planning and Zoning Commission and posted appropriately.

**RECOMMENDED ACTION:**

Staff recommends the Planning and Zoning Commission make a recommendation to City Council that the zoning map amendment be **APPROVED** with conditions. Documents addressing the following conditions must be submitted for review and approval by Planning Department staff prior to recommending the PUD amendment to City Council for approval:

1. Provide a full legal description of the rezoning area in a digital word document.
2. Amend Restaurant/Bar parking requirement to "7.5/1,000 gsf" to meet, the agreed upon, 50-percent of Municipal Code parking standards in the Pikes Peak Park PUD (p. 9, Section H. Parking Standards).
3. Amend, Section A, p. 11, "Function" to read, "Primary collector roadway within the neighborhood."

Commissioner Castellucci, asked how many 20-foot lots are located in the proposed Pikes Peak Park Subdivision, Filing No. 1? Beritt Odom explained that the minimum 22-foot lots are reserved for single-family attached residences (townhomes) and are located south of Tahosa Lane and north of Chavanaux Lane on the proposed subdivision. Castellucci asked approximately how many 22-foot lots will be located in this subdivision? Odom stated close to 20-percent of the lots will be the smaller 22-foot lots. Castellucci asked how a two-car garage would fit on these lots and the maximum height to achieve the intended density. Odom stated that the maximum height for single-family is two-stories or 30-feet.

Spinuzzi asked if Parcel Q would be green space. Odom stated that Parcel Q is reserved for future development and that the commission should inquire with the applicant what the interim plans are for the parcel.

Bailey asked if the 20-90 lots would have side easements? Castellucci stated that they are attached townhomes. Each home is accessed from an alley and that is where the green space is that sits adjacent. Odom stated that she is not sure that they sit adjacent to greens space and to inquire with the applicant.

Castellucci asked Andrew Hayes, Public Works Director, asked about the narrow roadways and limited parking. Hayes stated that Public Works and Transportation worked with the applicant to mitigate some circulation and parking concerns. Hayes stated that there are some functional concerns related to dead end alleys fronting green space. Concerns stem from the possibility of large vehicles backing out of the private lanes such as delivery and garbage trucks with limited sight distance. Compromise is to provide garbage collection points at the ends of alleys to limit daily activity in the private lanes. The PUD also includes provisions for the Metropolitan District to contract with a single-service solid waste provider to limit daily activities in the private lanes.

The Fire Department provided a variance to allow the dead-ends with a length of over 150-feet. Sun Mountain classification, a mixed-use collector on the transportation plan. Three lane facility with parking on both sides and a center turn lane. The City and NeighborWorks have agreed upon a striping plan for Sun Mountain, that will allow it to stay two lanes until traffic increases warrant changes in striping and parking. Melanie Turner stated that the applicants requested a 30-foot roadway width; however, the City and NeighborWorks compromised on a 34-foot roadway width to seven-feet of parking on both sides of the road. Public Works will continue to work with the applicant to ensure livability of the neighborhood through the Part II subdivision phase.

**HEARING:**

Ashleigh Winans, NeighborWorks of Southern Colorado, 1241 E. Routt; Tamara Pleshek, NeighborWorks of Southern Colorado; applicants and Mike Cuppy, NorthStar Engineering, representing the applicants testified in favor of the rezoning request.

Castellucci asked Mike Cuppy why high density single-family on small lots was chosen as the preferred development in this area? How will the delivery trucks and parking be accommodated? Ashleigh Winans stated that NeighborWorks hired Civitas to develop the PUD and partner with NorthStar Engineering and Surveying to complete the vacation and subdivision request. Winans stated that the proposed Pikes Peak Park is modeled after the Painted Prairie Community in Aurora. Civitas Master Planned Painted Prairie, which won the National Neighborhood of the Year for the subdivision. They are pairing the small lot single-family development with shared equity, which is a new way to look at affordability. The smaller lots require less infrastructure costs. The Metro District shares the equity in the homes. The housing crisis has spurred innovative ways to develop housing. NeighborWorks has raised over \$5 million in private money to develop the Pikes Peak Park community. Horizontal infrastructure costs are less with single-family residences on small lots. Winans went on to state that NeighborWorks has significant experience with development, they are currently developing Cruz Court on the westside with 24 new homes.

Castellucci expressed concerns that the small lot development with reduced parking availability may not appreciate in a similar fashion to other residential developments within the City. Winans stated that future phases of residential development within Pikes Peak Park will include more traditional single-family development at market rate on larger lots. This will attract a mix of incomes into the neighborhood. Parcel Q will include front-loaded single-family residential development. Castellucci is concerned if there is a crisis similar to 2007, the loans on the homes may be more than they are worth, and the homes will fall into foreclosure leading to blight. Tamara Plesck stated, shared equity takes extreme measures with deed restrictions and consulted with leading experts on deed restrictions to make sure the program will not fail. NeighborWorks also has mitigating measures to help prevent foreclosure for individual homeowners. The Metro District will prevent blight.

The Planning Commission and NeighborWorks continue the discussion on shared equity and affordable housing.

Castellucci asked if the PUD rezoning is coupled with the subdivision. Scott Hobson stated that the rezoning and subdivision are separate.

Mike Cuppy stated that the initial plat covers the southeast corners of the property. The big lots will allow apartment development, which transitions to the townhomes, then small lot residential

(cluster) development fronting the green court, which saves on infrastructure costs. Finally, there will be traditional single-family on larger lots. The purpose was to include all housing types within the first subdivision filing. The PUD allows flexibility for housing types and design, it does not mean that all development will be very dense on small lots. If the small lots and townhomes do not sell the lots may be rearranged to create larger lots and larger homes. The PUD allows flexibility. Castellucci stated that he understands the intent of the walkable neighborhood; however, there are not enough opportunities for employment within walking distance of the neighborhood, therefore people will be driving cars. Discussion regarding the number of cars that homeowners may have followed.

Avalos stated that he likes the mixed income shared equity approach. He asked about the construction of the homes, will the homes have back doors, garages. Tamara stated that the houses will have back doors and garages. Avalos stated that previous affordable housing projects did not work well along Pueblo Blvd. Avalos stated that he anticipates the shared equity model will have a positive affect on home ownership and housing in Pueblo.

Spinuzzi asked if there will be regulations to limit the number of unrelated individuals living in a single-family residence. Tamara stated that the deed restrictions will limit the number of unrelated individuals living in a single-family residence.

Martinez asked if other communities with small lot single-family development have issues with EMR and solid waste accessing the communities? NeighborWorks and NorthStar stated that they were not aware of issues. Tamar stated that they visited Painted Prairie, and Central Park, neither one, seemed to have parking issues. Sarah asked if there would be public transportation service to the Pikes Peak Park development. Tamara stated that they have met with transportation, and they hope to have public transportation service in the community. Martinez asked how much the metro district fee would be? Ashleigh stated that it would be between \$75 and \$90 per lot, they are hoping that it will be less than mortgage insurance. Martinez asked if the Pikes Peak Park might be a future Urban Renewal District. Ashleigh stated that they are aware of the opportunity, but they have not explored the district yet.

Castellucci asked if the PUD contains regulations for Accessory Dwelling Units. Beritt Odom read the PUD Accessory Dwelling Unit regulations to the commission. Odom stated that the PUD will most likely be interpreted that the ADU is only located above the garage. The PUD states that both the principal structure and ADU have to be under single ownership; however, it does not prevent both units from being rented. The way the PUD is written it is unlikely that they will be allowed on front-loaded traditional single-family homes. The deed restrictions will not allow the principal structure from renting the unit. Additional ADU discussion followed.

No one spoke in support or opposition of this case.

**COMMISSION ACTION:**

Motion to **APPROVE** Z-21-16 with staff conditions made by Bailey, second by Avalos.

**MOTION:**

**MOTION PASSED 5-1** (Castellucci dissenting, Aznar Absent)

## **1b. V-21-04 Foothills Subdivision Street and Easement Vacation**

Staff report Beritt Odom, Principal Planner

### **BACKGROUND:**

The applicant is requesting to vacate all the streets and easements in the Foothills Subdivision, A Special Area Plan, which was subdivided in 2000. The purpose of the Foothills Street and easement vacation is to facilitate the Pikes Peak Park, Filing No. 1 Subdivision. Vacation of a portion of Oakland Blvd., Columbia Ave., Emerson Ave., and the entire alley in Block 11, Irving Park Subdivision, which is located directly east of the Foothills subdivision, is necessary to accommodate stormwater drainage and infrastructure for the Pikes Peak Park, Filing No. 1 Subdivision. None of the streets proposed to be vacated have been improved or utilized as right-of-way by the public. None of the easements proposed to be vacated contain public utilities.

### **Recommended Action:**

The Subdivision Review Committee recommends that the Street and Easement Vacation be recommended for **APPROVAL**.

### **HEARING**

Ashleigh Winans, NeighborWorks of Southern Colorado, 1241 E. Routt; Tamara Pleshek, NeighborWorks of Southern Colorado; applicants and Mike Cuppy, NorthStar Engineering, representing the applicants stated that they did not have additional testimony regarding the vacation request.

### **COMMISSION ACTION:**

Motion to approve V-21-04 with staff conditions made by Bailey, second by Spinuzzi.

**MOTION PASSED:** 6-0 (Aznar Absent)

## **1c. S-21-12 Pikes Peak Park, Filing No. 1 Subdivision**

Staff report Beritt Odom, Principal Planner

### **BACKGROUND:**

The applicant is requesting to resubdivide 79.01 acres into 114 single-family residential lots; four commercial/mixed use and multifamily residential lots; one lot for possible future Fire Station development; and multiple parcels dedicated to easements, access, park amenities, and future development sites.

The proposed Pikes Peak Park, Filing No. 1 Subdivision is intended to create a walkable, mixed residential community with neighborhood serving retail and includes lots and parcels designed for single-family residential, multifamily residential, commercial/mixed use, public facilities, park amenities, and private access to residential units. This is a resubdivision of the Foothills Subdivision, A Special Area Plan, 2000, which was approved for manufactured home development and a commercial node along W. 24<sup>th</sup> Street.

The subdivision will create 114 single-family lots with varying sizes to accommodate the three types of single-family residential structures proposed within the Pikes Peak Park PUD, single-family attached, single-family detached rear-loaded, single-family detached front-loaded. Single-family attached residential will be constructed on the 17 lots located south of Tahosa Lane and the eight lots within Block 8, located north of Chavanaux Lane. The single-family attached lots vary in width between 32-feet and 22-feet with a 70-foot depth. The lots front Tahosa Lane and Chavanaux Lane, vehicular access is provided by the private alley, which will be subdivided as Parcels B, C and P. The Pikes Peak Park PUD does not have provisions for a "Private Alley," therefore the dedication of Parcels B and C must be amended to either a "Public Alley" or "Private Lane." Parcel P is a dead-end access parcel; therefore, it must be amended to be a "Private Lane."

Single-family detached, rear-loaded, structures will be constructed on the lots located north of Tahosa Lane, west of Chipeta Way, and north of Chavanaux Drive. Lots within Blocks 3, 4, 5, and 6 front "green courts" and are configured in a cluster pattern. The minimum lot width is 35-feet, minimum lot area is 3,100 square feet, and maximum lot coverage is 60-percent. The proposed PUD allows vehicular access to these homes from dead-end parcels dedicated to public ingress/egress and utilities. The Subdivision plat dedicates these parcels, which provides access to the homes fronting green courts, as "Private Alleys." Pikes Peak Park PUD Development Guide establishes right-of-way standards for a "Public Alley" and a "Private Lane." The Public Alley requires a 12-foot paved drive-lane, and the Private Lane requires a 20-foot paved drive-lane, "where lane serves as fire access." Because Parcels F, H, J, K, and P are the only vehicular access to the adjacent homes and have a dead-end, the plat must be amended to dedicate the parcels as "Private Lanes" not "Private Alley," to insure adequate drive width for residents and emergency services. The Pueblo Fire Department issued a variance to allow "dead-end fire apparatus access roads in excess of 150-feet for Parcel E, blocks 7&8. Additionally, the lots adjacent to the dead-end of the access parcels have a greater setback, 20-feet as opposed to 5-feet, to allow additional space for vehicles to turn around.

Single-family detached residential, front-loaded lots are larger and closer to standard residentially zoned lots. The minimum lot width is 45-feet, minimum lot area is 4,000 square feet, and maximum lot coverage is 50-percent. Residences constructed on these lots will front Sawatch Way, Chipeta Way, and Tahosa Lane. The lots will also have alley access adjacent to the rear lot line, provided by Parcel D. Parcel D is dedicated for public ingress/egress, utilities and "Private Alley." The Pikes Peak Park PUD does not have provisions for a "Private Alley," therefore the dedication of Parcel D must be amended to either a "Public Alley" or "Private Lane."

Commercial, multifamily residential, and commercial mixed-use lots are located along W. 24<sup>th</sup> Street and Sun Mountain Blvd. Park, trail, and open space amenities are provided within Parcel M. Drainage, detention, and utilities will be provided in Parcel L, Parcels Q and R are "non-Buildable" and are reserved for future resubdivision prior to development. Finally, Lot 1, Block 11, located north of W. 24<sup>th</sup> Street and adjacent to the western property line, may be developed as a City of Pueblo Fire station in the future.

**Recommended Action:**

The Subdivision Review Committee recommends the Planning and Zoning Commission forward a recommendation the requested Subdivision be **APPROVED** with the following noted:

- **Request for Deferred Filings, Request for Deferred Filings:** The Subdivision Review Committee has no objection to the Request for Deferred Filings, SRC Memo, March 17, 2022.
- **Overhead Electric Lines:** Three phase overhead electric mainlines exist along the northern property line and adjacent to the western right-of-way boundary of Sun Mountain Blvd. All overhead lines, as identified in the exhibit from Black Hills, must be undergrounded and identified in the Exhibit B of the Subdivision Improvement Agreement (Derek Chavez, email and exhibit, March 16, 2022).

**Conditions of Approval:**

- (Unless otherwise noted, all conditions of approval must be completed prior to the case being scheduled for City Council hearing.):
- Parcels F, H, J, K, and P are the only vehicular access to the adjacent homes, the plat must be amended to dedicate the parcels as “Private Lane” not “Private Alley,” to insure adequate drive width for residents and emergency services.
- Dedication of Parcel D must be amended to either a “Public Alley” or “Private Lane.”
- Dedication of Parcels B and C must be amended to either a “Public Alley” or “Private Lane.”
- Amend the Stormwater Facility Maintenance Agreement, as noted in the “redlined” draft agreement and memorandum from John Sakariason, Stormwater Coordinator, March 16, 2022.
  - Make subdivision plat and utility plan corrections according to the attached redlined plans provided by Joe Martellaro, Associate Engineer II, March 16, 2022.

**HEARING**

Ashleigh Winans, NeighborWorks of Southern Colorado, 1241 E. Routt; Tamara Pleshek, NeighborWorks of Southern Colorado; applicants and Mike Cuppy, NorthStar Engineering, representing the applicants stated that they did not have additional testimony regarding the Subdivision request.

**COMMISSION ACTION:**

Motion to approve S-21-12 with staff conditions made by Bailey, second by Avalos.

**MOTION PASSED:** 6-0 (Aznar Absent)

**WORKSESSION:**

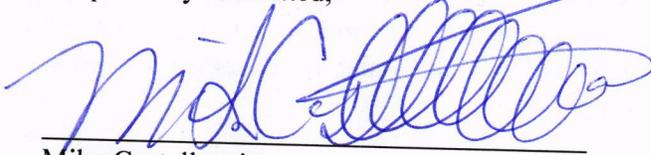
Beritt Odom stated that the April 13, 2022, Public Hearing will review the Villa Bella Vacation and Villa Bella, Filing No. 2 Subdivision. Odom also stated that Bart Mikitowicz, Planner, is working with the owner of the Watertower Place to amend the PUD and the Ent Credit Union subdivision (University Park Subdivision 33rd Filing) will be heard in May.

**ADJOURN**

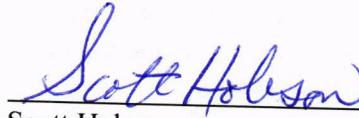
There being no further business the Regular Meeting was adjourned at 5:49 p.m.

Respectfully submitted,

Attest:



\_\_\_\_\_  
Mike Castellucci  
Chairperson



\_\_\_\_\_  
Scott Hobson  
Executive Secretary

Digital recordings of all the meetings of the Planning and Zoning Commission are maintained and available for inspection and review during normal business hours (M – F, 8 a.m. – 5 p.m.) at the Department of Planning & Community Development, 211 East D Street, Pueblo, CO.