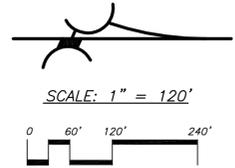


# FOOTHILLS SUBDIVISION STREET AND EASEMENT VACATION

A PARCEL OF LAND IN THE S 1/2 OF SECTION 22, TOWNSHIP 20 SOUTH, RANGE 65 WEST OF THE 6TH P.M.  
IN THE COUNTY OF PUEBLO, STATE OF COLORADO



### LEGEND

■ = PROPOSED VACATION

### EASEMENT VACATION DESCRIPTION:

All of the 9' Drainage Easement, 10' Drainage Easement, 20' Drainage Easement, Drainage Easement, Truck Turning Easement, 1' Sidewalk Easement, 10' Water Line Easement, 10' Sanitary Sewer Easement, and Private Sanitary Sewer Easement, being in Foothills Subdivision according to the recorded plat thereof as filed for record at Reception No. 1349348 in the Pueblo County Records.

### STREET VACATION DESCRIPTION:

All of the public and private street right-of-way being in Foothills Subdivision according to the recorded plat thereof as filed for record at Reception No. 1349348 in the Pueblo County Records.  
And  
All of the public and private street right-of-way being in Irving Park Subdivision blocks 10 and 11

### RESERVATIONS:

NONE

### PURPOSE:

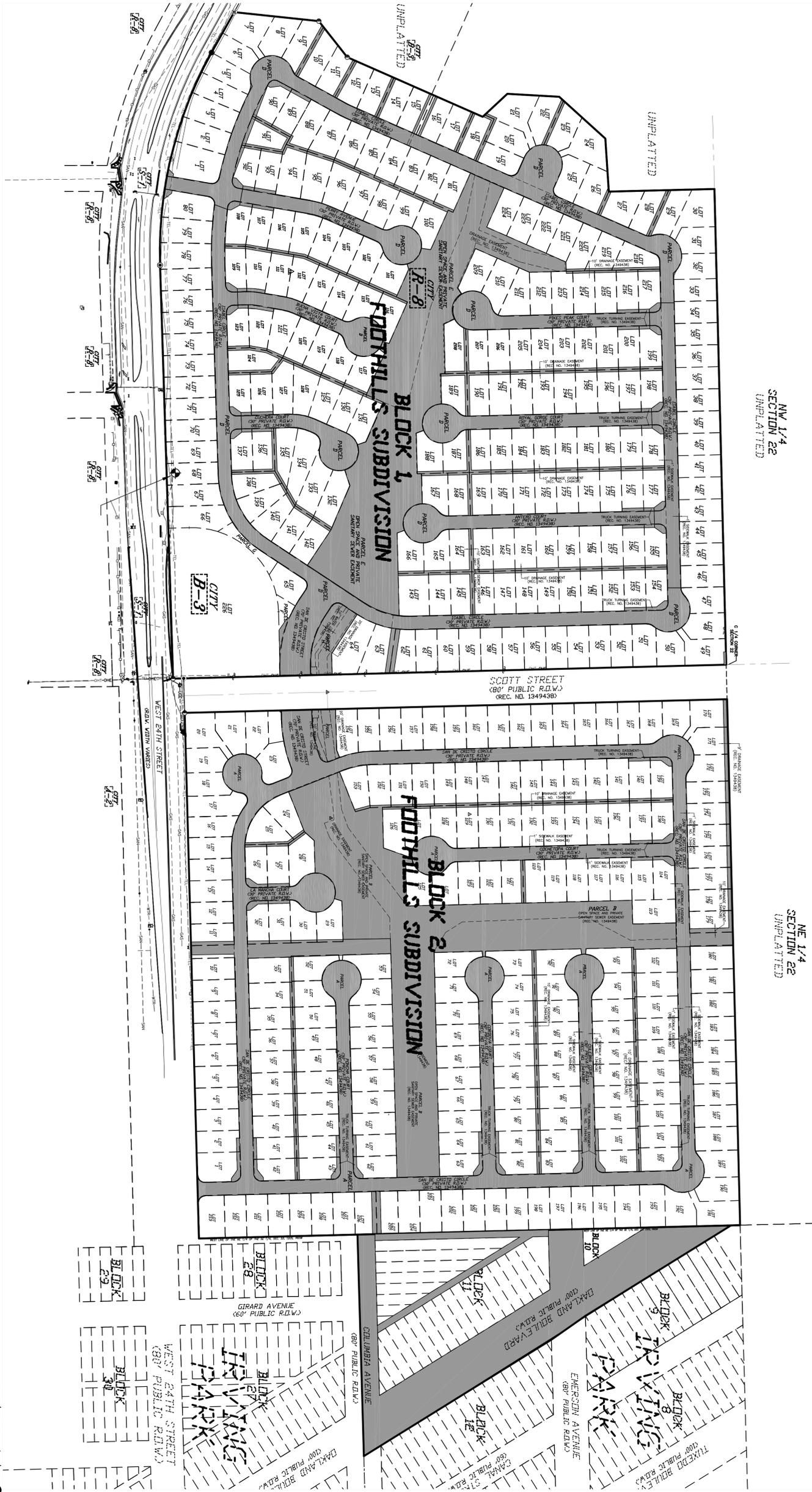
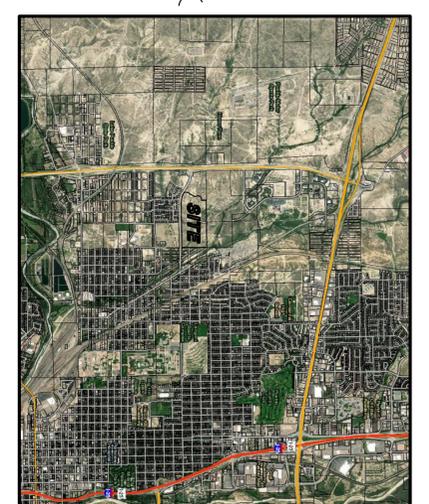
Resubdivision

### PREPARED BY:

NorthStar Engineering and Surveying, Inc.  
111 E. 5TH STREET  
PUEBLO, COLORADO, 81003

BY:

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



PREPARED BY: NORTHSTAR ENGINEERING AND SURVEYING, INC.

PREPARED UNDER THE DIRECT SUPERVISION OF  
MICHAEL L. CUPPY, PROFESSIONAL LAND SURVEYOR  
COLORADO REGISTRATION NO. 38485  
FOR AND ON BEHALF OF NORTHSTAR ENGINEERING & SURVEYING, INC.

JN 2001400

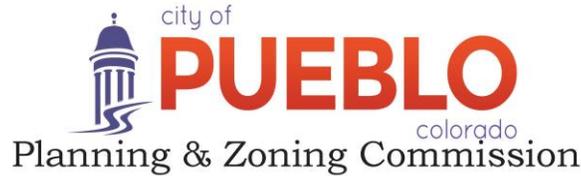
SHEET 1 OF 1



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**

## **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)



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-21-04 Foothills Subdivision, Street and Easement Vacation  
S-21-12 Pikes Peak Park, Filing No. 1

**DATE:** March 29, 2022

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

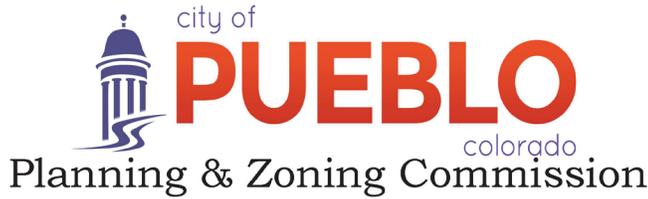
Per our meeting with Mike Cuppy this morning, we are allowing this be placed on the agenda prior to mylars being submitted. In the event mylars are not submitted as soon as practical, the agenda items will be pulled from council agenda.

Also, please note that this vacation & plat will not be recorded until the signed offsite easement, for construction of Sawatch Way, is submitted as part of the Part II requirements.

Mike Castellucci  
Chair

Patrick Avalos  
Vice Chair

Sarah Martinez  
City Council Representative



Christopher Pasternak

Alexandra Aznar

Elizabeth Bailey

Cheryl Spinuzzi

## V-21-04

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

**FROM:** Beritt Odom, Principal Planner

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

**DATE:** March 23, 2022

**SUBJECT:** Foothills Subdivision Street and Easement Vacation

**APPLICANT:** Ashleigh Winans, NeighborWorks Southern Colorado  
Drew Brice, NorthStar Engineering

**OWNER:** Ashleigh Winans, NeighborWorks Southern Colorado

**LOCATION:** Generally located north of W. 24<sup>th</sup> Street and east of N. Pueblo Blvd.

**CONCURRENT REQUESTS:** Z-21-16, Rezoning, Pikes Peak Park PUD  
S-21-12 Pikes Peak Park, Filing No. 1

**Request:**

Vacation of all streets and easements in the Foothills Subdivision, A Special Area Plan; and a vacation of a portion of Oakland Blvd., Columbia Ave., Emerson Ave., and the entire alley in Block 11, Irving Park Subdivision.

**Staff review and findings:**

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.

**Applicable Regulations:**

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

**Recommended Action:**

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

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**PUBLIC WORKS AND ENGINEERING COMMENTS**

- None

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**WASTEWATER**

- None

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**STORMWATER**

- None

---

**PLANNING AND COMMUNITY DEVELOPMENT COMMENTS**

- None

---

**TRANSPORTATION COMMENTS**

- None

---

**PARKS AND RECREATION COMMENTS**

- None

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**REGIONAL BUILDING COMMENTS**

- None

---

**BOARD OF WATER WORKS COMMENTS**

- None

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**COLORADO DEPARTMENT OF TRANSPORTATION COMMENTS**

- None

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**COMCAST COMMENTS**

- None

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**EXCEL ENERGY COMMENTS**

- None

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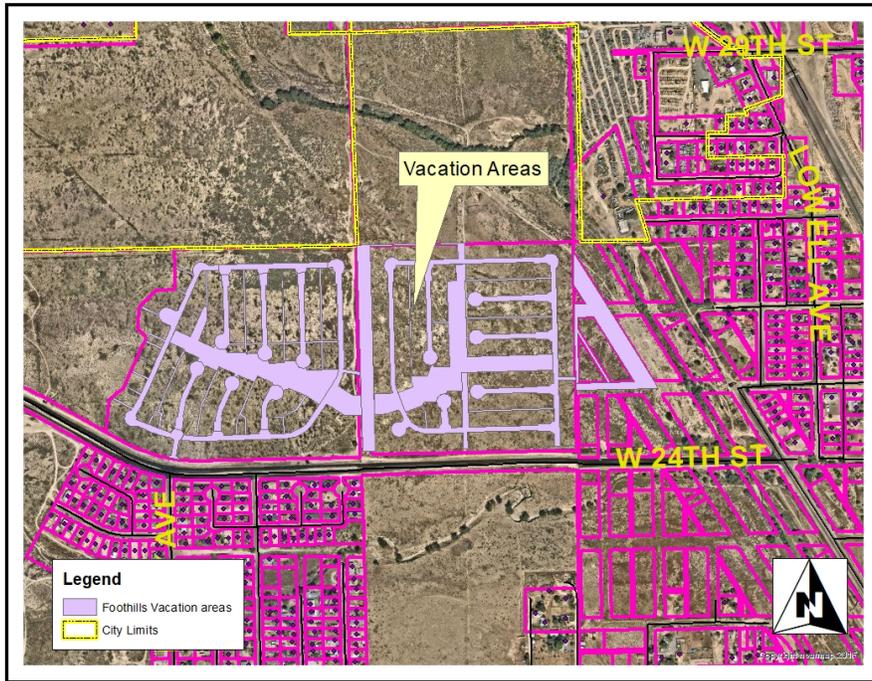
**QWEST COMMENTS**

- None

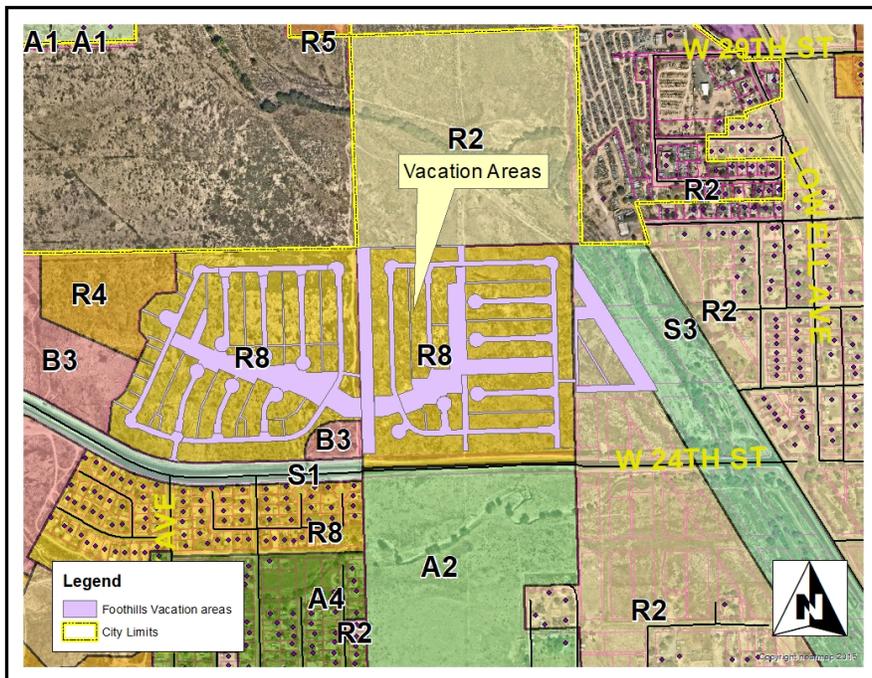
**ATTACHMENTS:**

- A. Aerial Map
- B. Zoning Map
- C. Site Photographs
- D. SRC Memo, March 17, 2022
- E. Vacation Plat
- F. Vacation Application

**ATTACHMENTS:**



**A. Aerial Photograph**



**B. Zoning Map**

**Attachment D. Site Photos**



Public Notice Poster



Pikes Peak Park looking north from W. 24<sup>th</sup> Street



Looking north from S. Portland Ave.

*Andrew Hayes*  
Director Public Works  
Director  
Transportation Department  
*Steven Meier*  
Director Parks & Recreation



*Scott Hobson*  
Acting Director Planning &  
Community Development  
Executive Secretary of  
Planning & Zoning  
Commission

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## MEMORANDUM

**To:** Planning and Zoning Commission

**From:** Subdivision Review Committee

**Date:** March 17, 2022

**Subject:** V-21-04 Foothills Street and Easement Vacation and S-21-12 Pikes Peak Park, Filing No. 1

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**V-21-04 Foothills Street and Easement Vacation:**

The subdivision review committee recommends that the street and easement vacation be recommended to City Council for approval.

**S-21-12 Pikes Peak Park, Filing No. 1:**

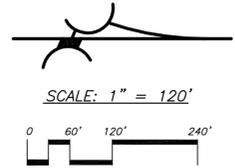
The subdivision review committee recommends that the Planning and Zoning Commission recommend approval to City Council with the following conditions:

1. 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.
2. Dedication of Parcel D must be amended to either a "Public Alley" or "Private Lane."
3. Dedication of Parcels B and C must be amended to either a "Public Alley" or "Private Lane."
4. Amend the Stormwater Facility Maintenance Agreement, as noted in the "redlined" draft agreement and memorandum from John Sakariason, Stormwater Coordinator, March 16, 2022.
5. Make subdivision plat and utility plan corrections according to the attached redlined plans provided by Joe Martellaro, Associate Engineer II, March 16, 2022.

All conditions must be satisfied prior to City Council review.

# FOOTHILLS SUBDIVISION STREET AND EASEMENT VACATION

A PARCEL OF LAND IN THE S 1/2 OF SECTION 22, TOWNSHIP 20 SOUTH, RANGE 65 WEST OF THE 6TH P.M.  
IN THE COUNTY OF PUEBLO, STATE OF COLORADO



### LEGEND

= PROPOSED VACATION

### EASEMENT VACATION DESCRIPTION:

All of the 9' Drainage Easement, 10' Drainage Easement, 20' Drainage Easement, Drainage Easement, Truck Turning Easement, 1' Sidewalk Easement, 10' Water Line Easement, 10' Sanitary Sewer Easement, and Private Sanitary Sewer Easement, being in Foothills Subdivision according to the recorded plat thereof as filed for record at Reception No. 1349348 in the Pueblo County Records.

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And  
All of the public and private street right-of-way being in Irving Park Subdivision blocks 10 and 11

### RESERVATIONS:

NONE

### PURPOSE:

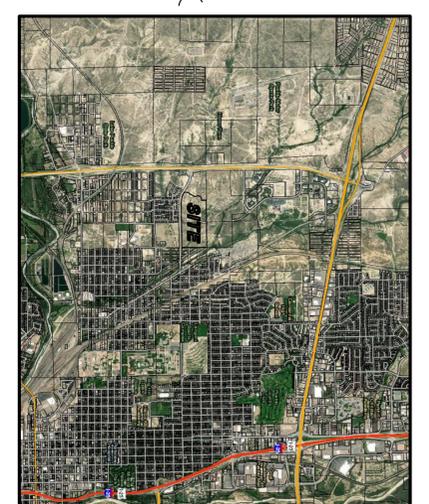
Resubdivision

### PREPARED BY:

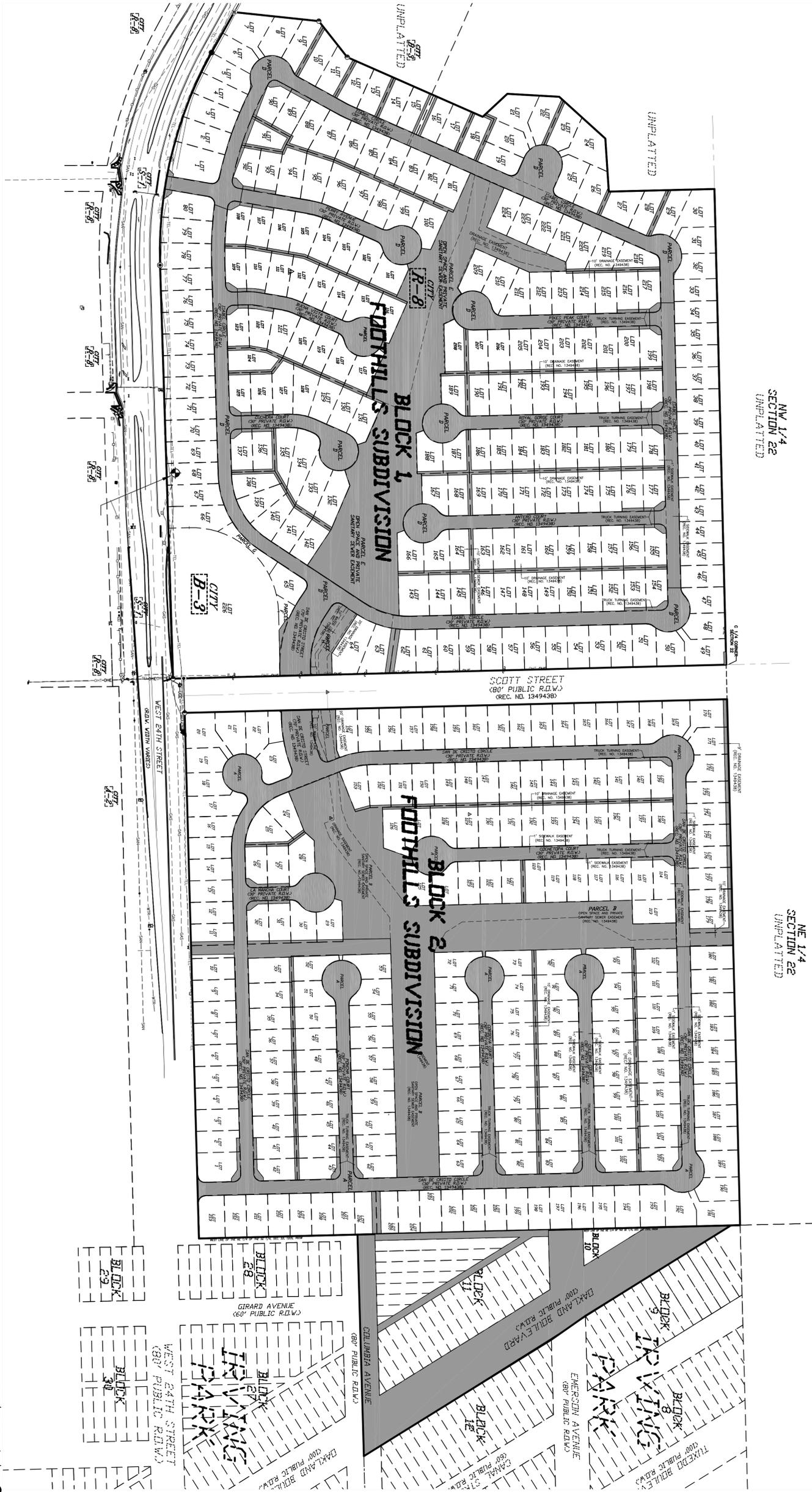
NorthStar Engineering and Surveying, Inc.  
111 E. 5TH STREET  
PUEBLO, COLORADO, 81003

BY:

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



VICINITY MAP  
NOT TO SCALE



NW 1/4  
SECTION 22  
(UNPLATTED)

NE 1/4  
SECTION 22  
(UNPLATTED)

PREPARED BY: NORTHSTAR ENGINEERING AND SURVEYING, INC.

PREPARED UNDER THE DIRECT SUPERVISION OF  
MICHAEL L. CUPPY, PROFESSIONAL LAND SURVEYOR  
COLORADO REGISTRATION NO. 38485  
FOR AND ON BEHALF OF NORTHSTAR ENGINEERING & SURVEYING, INC.

JN 2001400

SHEET 1 OF 1



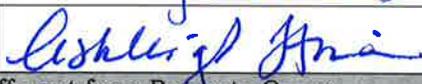
# Planning & Zoning Application

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

<b>Contact Info</b>	<b>Property Owner</b>		<b>Applicant</b>		
	Name: Ashleigh Winans		Name: SAME AS OWNER		
	Company: NeighborWorks Southern Colorado		Company:		
	Address: 1241 E Routt Ave, Pueblo, CO		Zip: 81004	Address:	Zip:
	Phone: (719) 544-8078		Phone: ( )		
	Email: awinans@nwsoco.org		Email:		
	<b>Engineer</b>		<b>Surveyor</b>		
	Name: Drew Brice		Name: SAME AS ENGINEER		
	Company: NORTHSTAR ENGINEERING		Company:		
	Address: 111 E. 5TH ST		Zip: 81003	Address:	Zip:
Phone: (719) 544-6823		Phone: ( )			
Email: DBRICE@NORTHSTAR-CO.COM		Email:			
<i>The applicant will be the primary contact unless otherwise noted.</i>					
<b>Property Info</b>	<b>Project Location:</b> North of 24th st, West of Wildhorse Creek and East of Pueblo Blvd. (address or general description)				
	Parcel No(s): 0522430217, 522310230				
	Existing Zone: PUD		Proposed Zone (if applicable):		
	PUD Name (if applicable): PIKE PEAKS PARK				
<b>Project Scope</b>	<b>Project Name:</b> Pikes Peak Park, Filing No. 1				
	<input type="checkbox"/> Rearrangement of Property Boundaries: <div style="margin-left: 20px;">           # of existing lots: _____ Total acres: _____         </div>				
	<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="checkbox"/> Street <input type="checkbox"/> Alley <input checked="" type="checkbox"/> Easement <input type="checkbox"/> Other: _____				
	<input type="checkbox"/> Other: _____				

(Continue Next Page)

(Continued from previous page)

<b>Project Information</b>	Provide a brief description of the proposed request: Vacate all roads and easements in the Foothills Subdivision.		
	What is the total acreage included in the project?	73.925	
	What is the proposed use of the property?		
	<input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Multi-family <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Other		
<b>Attachments</b>	<b>Attachment Checklist</b>		
	The following list of attachments are required to accompany all applications:		
	<input type="checkbox"/> A. CD with DWF and DWG (Autocad) file of all plans and drawings & a PDF of all documents submitted. <input type="checkbox"/> B. Pueblo County Assessor's Property Information print out ( <a href="http://www.co.pueblo.co.us">www.co.pueblo.co.us</a> ) <input type="checkbox"/> C. Additional information as required by the <b>P&amp;Z Submittal Requirements Sheet</b> .		
<b>Terms</b>	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. 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.		
<b>Signatures</b>	Property Owner		
	Print Name:	Ashleigh Winans	
	Signature:		Date: 12/7/2021
	Applicant, if different from Property Owner		
<b>Office Use Only</b>	Zoning Compliance (Completed by City Staff)		
	Application checked for completeness by:	Date:	Fee Paid:

January 24, 2022

This is to inform you that the City Planning and Zoning Commission will hold a public hearing on a request by **Ashleigh Winans, NeighborWorks Southern Colorado** for the approval of the following application(s):

**V-21-04; Foothills Street and Easement Vacation.** Vacation of the streets and easements dedicated within the Foothills Subdivision. Generally located north of W. 24<sup>th</sup> Street and east of N. Pueblo Blvd.

**S-21-12; Pikes Peak Park, Filing 1 Subdivision.** Subdivision of approximately 73.92 acres into multiple lots facilitating residential and commercial mixed-use development. Generally located north of W. 24<sup>th</sup> Street and east of N. Pueblo Blvd.

**The Planning and Zoning Commission meeting will be held on February 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 (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  
**Beritt Odom**, Principal Planner  
(719) 553-2339

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Scott Hobson, Director  
Planning & Community Development  
**Beritt Odom**, Principal Planner  
(719) 553-2339

CASE NUMBER V-21-04

CERTIFICATION

I hereby certify that I did this day cause written notice of the public hearing on the Easement Vacation: Pikes Peak Park Street and Easement Vacation 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 Pikes Peak Park Street and Easement vacation, 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

<b>Owner</b>	<b>OwnerStree</b>	<b>OwnerCity</b>	<b>Owri</b>	<b>OwnerZip</b>
BUTCHER JAMES H	1 JUDYS DREAM LN	PUEBLO	CO	81005-8703
NEIGHBORHOOD HOUSING SERVICES OF F	1241 E ROUTT AVE	PUEBLO	CO	81004-2908
SKWAREK FAMILY TRUST + SKWAREK FRAI	13195 HIGHLINE DR	COLORADC	CO	80908-3331
PINELLE JAMES P/PINELLE SHIRLEY A	2205 CLIFF LOMBARD ST	PUEBLO	CO	81003-3877
VILLALOBOS CORRAL URIEL	2221 NEWPORT AVE	PUEBLO	CO	81003-3811
ALVAREZ CLAUDIA	2306 SKYMESA CT	PUEBLO	CO	81003
ANDERSON JASON MICHAEL + ANDERSON	2307 SUNBURST CT	PUEBLO	CO	81003-3848
ALLISON AMY J	2308 PERRY AVE	PUEBLO	CO	81003-3845
PAYNE WILLIAM S / PAYNE JANET S	2309 PERRY AVE	PUEBLO	CO	81003-3849
CERVANTES JOHN A / CERVANTES SHA	2309 SKYMESA CT	PUEBLO	CO	81003
KIRKMAN GERTIE	2311 CANYON RIVER CT	PUEBLO	CO	81003-3847
KNABE WAYNE L	2311 NEWPORT AVE	PUEBLO	CO	81003-3850
TREFETHEN ROBERT A + TREFETHEN CYN	2311 SUNBURST CT	PUEBLO	CO	81003-3848
GILMORE MALIA ASHLEY	2312 MOUNTAIN VALLEY CT	PUEBLO	CO	81003-3841
STONE ROBYN K	2312 NEWPORT AVE	PUEBLO	CO	81003-3840
RAMIREZ EDWARD	2312 SKYMESA CT	PUEBLO	CO	81003
EVANS JAMES W/EVANS JACQUELINE M	2312 SUNBURST CT	PUEBLO	CO	81003-3848
ORR MICHAEL	2313 PERRY AVE	PUEBLO	CO	81003-3849
ROGERS KENNETH WADE	2314 MOUNTAIN VALLEY CT	PUEBLO	CO	81003-3841
HARRISON ROBERT L/HARRISON SUSAN	2318 MOUNTAIN VALLEY CT	PUEBLO	CO	81003
DEVE HEATHER M + JACKSON JEFFREY A	2320 MOUNTAIN VALLEY CT	PUEBLO	CO	81003-3841
HANLEY NATHAN	2322 MOUNTAIN VALLEY CT	PUEBLO	CO	81003-3841
CUYPERS MICHEL + CUYPERS JUDITH	2324 MOUNTAIN VALLEY CT	PUEBLO	CO	81003-3841
TORRES ROBERT	2326 MOUNTAIN VALLEY CT	PUEBLO	CO	81003-3841
GARCIA MOLLY A	2409 CLIFFMOOR LN	PUEBLO	CO	81008-2353
PORTER LARRY W/PORTER NORAH E	2831 TEMPLE LN	PUEBLO	CO	81003-1061
C M H HOMES INC	3912 N FREEWAY RD	PUEBLO	CO	81008-9615
BAMBER EMMA RUBERSON TRUST + HAY	4016 RIDGE DR	PUEBLO	CO	81008-1720
BATEMAN TERRIE L	4150 COUNTY LN 17	ORDWAY	CO	81063-9720
REGALADO PATRICK	903 E B ST	PUEBLO	CO	81003-3507
MCKINNEY ROSE MARY	909 W PITKIN AVE	PUEBLO	CO	81004-1142
GUTTNER MICHELLE	PO BOX 11135	PUEBLO	CO	81001-0135
CITY OF PUEBLO A MUNICIPAL CORPORAT	PO BOX 1427	PUEBLO	CO	81002-1427
SOCO ENTERPRISES LLC	PO BOX 18132	COLORADC	CO	80935-8132